

**SITE-SPECIFIC ENVIRONMENTAL ASSESSMENT –
PHASE 2**

**Proposed Construction and Operation of the
Cape Canaveral National Cemetery
Mims, Brevard County, Florida**



Department of Veterans Affairs
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Washington, DC 20001

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SITE-SPECIFIC ENVIRONMENTAL ASSESSMENT ABSTRACT**LEAD AGENCY:** Department of Veterans Affairs (VA)**COOPERATING AGENCIES:** None**TITLE OF PROPOSED ACTION:** Proposed Cape Canaveral National Cemetery – Phase 2**AFFECTED JURISDICTION:** Brevard County, Florida**POINT OF CONTACT:** Fernando Fernandez, VA Environmental Engineer, 425 I Street NW, Room 6W317D, Washington, DC 20001; Comm. Tel.: (202) 632-5529**PROPONENTS:** VA**DOCUMENT DESIGNATION:** Final Public Draft Site-Specific Environmental Assessment (SEA)

ABSTRACT: This Site-Specific Environmental Assessment (SEA) analyzes the potential environmental effects of the Department of Veterans Affairs (VA) Proposed Action to construct and operate Phase 2 of the National Cemetery on approximately 52-acres of the overall 318-acre Cape Canaveral National Cemetery (CCNC) site in Scottsmeer, an unincorporated community located in Brevard County, Florida. This Mims site was chosen because it was the only location that met the site selection screening criteria as described in the Final Programmatic Environmental Assessment of the Proposed Site Selection, Construction, and Operation of the East Central Florida National Cemetery completed by VA on July 17, 2012 (Final PEA), as part of the National Cemetery site acquisition process.

This SEA evaluates two preliminary design alternatives: 1) the Preferred Action Alternative (i.e., Proposed Action) – implement VA’s proposed Phase 2 design, and 2) the No Action Alternative - do not develop Phase 2 of National Cemetery at this site.

This SEA was derived from the Final PEA (VA 2012a) and consistent with the May 2014 SEA which included the construction and operation of Phase 1. The Final PEA specified that VA would prepare a SEA to more precisely analyze and evaluate the potential effects of the construction and operation of the proposed National Cemetery at the selected site when site-specific design information became available. The Final PEA also identified environmental Best Management Practices (BMPs) to minimize and mitigate potential impacts. These BMPs have been subsequently incorporated into VA’s site-specific Proposed Action.

This Phase 2 SEA evaluates possible effects to aesthetics; air quality; geology, topography and soils; water resources; wildlife and habitat; noise; solid and hazardous materials; transportation and parking; and utilities. Technical resource areas that VA sufficiently analyzed through the Final PEA process and therefore do not require further analysis in this SEA include cultural resources, land use, socioeconomics, community services, and environmental justice.

This Phase 2 SEA concludes there would be no significant direct, indirect, or cumulative adverse effect on the local environment or quality of life associated with implementing the Preferred Action Alternative as summarized in Table 2 in Chapter 5.

EXECUTIVE SUMMARY

This Site-Specific Environmental Assessment (SEA) is derived from the *Final Programmatic Environmental Assessment of the Proposed Site Selection, Construction, and Operation of the East Central Florida National Cemetery* completed by VA on July 17, 2012 (Final PEA) for site acquisition. The Final PEA analyzed the potential environmental effects of acquiring the Mims Site for the construction and operation of a National Cemetery. The Final PEA identified that VA would prepare a subsequent SEA to more precisely analyze and evaluate the potential effects of the Proposed Action when site-specific design information became available. The Final PEA also identified environmental best management practices (BMPs) to minimize and mitigate potential impacts. These BMPs have been subsequently incorporated into VA's site-specific Proposed Action.

This SEA analyzes the latest design information associated with Phase 2 of the project. This SEA has been prepared to identify, analyze, and document the potential physical and environmental effects associated with the Department of Veterans Affairs' (VA's), Proposed Action. The Proposed Action is the construction and operation of Phase 2 of a National Cemetery on approximately 52-acres of a 318-acre site acquired by VA in Mims, an unincorporated town in Brevard County, Florida (i.e., the Site). Construction of the National Cemetery was initiated in approximately 2014 and would be completed in phases over a period of 100 years or more. This SEA is prepared in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 United States Code [USC] 4321 et seq.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), 38 CFR Part 26 (Environmental Effects of the Department of Veterans Affairs Actions), and the VA NEPA Interim Guidance for Projects, dated 30 September 2010 (VA 2010).

The original Master Plan for this cemetery was completed as part of the Phase 1 Scope of Work (SOW) in 2014. The Phase 2 area of the original Master Plan has been revised in January 2019. It is the basis for this CD-2 Plan submittal. These Phase 2 Plans are the outcome of design requirements and operational needs of the National cemetery Administration.

Purpose and Need

The **purpose** of the Proposed Action is to enable the National Cemetery Administration to continue providing interment benefits to eligible Veterans and their family members by further extending the longevity of the CCNC.

The Proposed Action is **needed** to meet the VA's National Cemetery Administration's goal of increasing burial options in areas with an underserved Veteran population of at least 80,000. Burial at a National Cemetery is an earned benefit provided to Veterans through the VA. In addition, the expansion of the National Cemetery will enable the Department of Veterans Affairs to compliance with the Civil Relief Act.

Alternatives

After VA acquired the 318-acre property on July 31, 2012, VA initiated an extensive, five-step Master Planning Process to determine the optimal configuration of the proposed National Cemetery. As part of that Master Planning Process, VA identified ten screening criteria to guide detailed conceptual design for the proposed facility. VA developed these site-specific screening criteria based on the physical, operational, and location requirements of the Proposed Action, as well as cost, environmental issues, and other relevant factors. Satisfaction of VA's screening criteria would provide locations and facilities best suited to meet the purpose of and need for the Proposed Action, while minimizing overall project costs and environmental effects.

This process led to the development of 11 design alternatives. Each of the design alternatives that were developed were evaluated against the screening criteria identified in Section 2.3.1. Through the five-major iterations of the design process (MP1 through MP5), VA evaluated the design alternatives and incorporated the design options that best met VA's screening criteria and needs. Throughout the design process, VA ensured that each design alternative that was considered avoided, to the extent possible, sensitive environmental resources, such as wetlands, natural waterways, 100-year floodplains, or significant or protected biological resources. The current proposed design avoids all of these resources to the greatest extent practicable. Through application of the screening criteria, only two (2) of these 11 design alternatives were considered viable and are thus analyzed in depth within this SEA. Those two (2) are:

Preferred Action Alternative - Under the Preferred Action Alternative, the Proposed Action would be implemented. VA would construct and operate Phase 2 of the Cape Canaveral National Cemetery, in accordance with VA's National Cemetery Administration (NCA) Facilities Design Guide, on a 52-acre section of the overall 318-acre site in unincorporated Mims, in Brevard County, Florida (Figure 1). The new phase of the National Cemetery would continue to help balance the currently unequal geographic distribution of VA National Cemeteries within the State of Florida (see Figure 2). Development would include approximately 32,320 gravesites including approximately 12,320 columbarium niches, 7,700 full-casket and 12,300 cremains gravesites; a 4.75-acre retention pond with an aerated fountain; interior roads; and associated utilities and infrastructure. Other infrastructure to support the burial expansion includes landscaped areas, signage, irrigation, the connecting roads, parallel parking at the columbarium plazas and a roundabout at the Warrior Avenue/maintenance area drive intersection. This roundabout provides a convenient turn around for visitors to reverse direction at the end of the Phase 2 development. It will also aid traffic flow and wayfinding as the cemetery continues to expand on east past Dixie Way. Design and general guidance for this project follow original master plan concepts, RFP guidelines, NCA Facility Design Guide Criteria, VA Program Guide PG 18-15 Volume D, and VA Signage Design Guide Chapter 12 National Cemetery Signs. This development would provide all facilities necessary to maintain and operate the cemetery in addition to providing interment sites for approximately 10 years. Future phases of cemetery development would be analyzed under separate NEPA documents prior to construction and operation of those phases.

No Action Alternative - Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families residing in central eastern Florida would continue to

be underserved; in many cases, this would continue to require Veterans and their families to travel more than 75 miles to reach the nearest National Cemetery in Bushnell, Florida (Florida National Cemetery). The distribution of National Cemeteries in the region would continue to be unequal, and VA would not be in compliance with the requirements of the Service Members Civil Relief Act. The absence of a National Cemetery in central east Florida could prevent eligible Veterans and their families from obtaining the earned benefit of a no-cost burial at a National Cemetery, resulting in undue hardship and lost recognition to those individuals. While the No Action Alternative would not satisfy the purpose of or need for the Proposed Action, this alternative was retained to provide a comparative baseline against which to analyze the effects of the Proposed Action, as required under the CEQ Regulations (40 CFR Part 1502.14). The No Action Alternative reflects the *status quo* and serves as a benchmark against which the effects of the Proposed Action can be evaluated.

Affected Environment and Environmental Consequences

The Affected Environment of the Preferred Action Alternative and its immediate surroundings, or the region of influence (ROI), is discussed in Chapter 3 of this SEA. The Preferred Action and the No Action Alternatives are evaluated in this SEA to determine their potential direct, indirect, and cumulative effect(s) on the physical, environmental, cultural, and socioeconomic aspects of the Proposed Action's ROI. VA determined that five technical resources areas were sufficiently analyzed in the Final PEA and did not require further analysis in this SEA, including cultural resources, land use, socioeconomic, community services, and environmental justice.

Chapter 3 contains in-depth analyses of the Proposed Action's potential effects to the following technical resource areas:

- Aesthetics
- Air Quality
- Geology, Topography, and Soils
- Water Resources (Surface Waters and Wetlands; Floodplains; Groundwater; Coastal Zone Management)
- Wildlife and Habitat
- Noise
- Solid and Hazardous Wastes
- Transportation and Parking
- Utilities

The following table summarizes the potential environmental impacts of the Proposed Action and No Action alternatives:

Table 1: Technical Resource Area Summary

Technical Resource Area	Anticipated Effect of Proposed Action	Anticipated Effect of No Action	Notes
Aesthetics	Beneficial and adverse, less than significant	No impact	Beneficial effects related to conversion of agricultural fields to a Natural Shrine. Short term effects from construction, loss of agricultural land, and minor tree loss
Air Quality	Adverse, less than significant	No impact	Short term effects from construction vehicles, fugitive dust, and minor tree loss.
Cultural Resources	No impact	No impact	No effect on cultural resources. Florida SHPO reviewed the project area for possible effects on historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) in accordance with Section 106 and 36 CFR Part 800 regulations and concluded that the proposed project will have no effect on historic properties listed, or eligible for listing, in the National Register of Historic Places.
Geology, Topography, and Soils	Adverse, less than significant	No impact	long-term effects to topography due to increasing the elevation at selected areas of the site where fill is needed to raise gravesites above the seasonal high-water table. Short term effects to soil from erosion and sedimentation during construction, but no long-term effects. Long-term effects to soil from reduction in area farmland.
Water Resources	Adverse, less than significant	No impact	There are no natural surface waters, on-site wetlands/Waters of the U.S., or floodplains in the Phase 2 area. During construction, short term effect from run-off to adjacent surface water, wetlands, floodplains; however, creation of stormwater management structures (e.g. new stormwater retention ponds) will benefit the quality of stormwater if discharged from the Site. BCPW advised that the VA was not exempt from Right of Way (ROW) permitting for any stormwater discharge in to the county ROW, or the addition of any driveway connections to the existing ROW. Appropriate permitting with the stormwater discharge into the county ROW has been submitted and is in the review process. Short term effects to groundwater

			from accidental release of vehicle operating fluids.
Wildlife and Habitat	Adverse, less than significant	No impact	No long-term effects to listed species is anticipated; however, long-term effects from the reduction of habitat available to common species is expected.
Noise	Adverse, less than significant	No impact	short term effects from general construction noise, and long-term operational noise effects to the ROI, primarily associated with three to five rifle salutes during committal ceremonies.
Land Use	Beneficial, less than significant	No impact	Beneficial by preserving open space within the region of influence and developing the Site consistent with local zoning ordinances.
Socioeconomics	Beneficial, less than significant	No impact	Beneficial by increased local employment and personal income during construction, and indirect positive effects to the local economy during operation.
Community Services	No impact	Long-term, significant	Long-term significant impact through the lack of extension of CCNC, resulting in longer travel distances for general public for burial and visitation.
Solid and Hazardous Materials	Adverse, less than significant	No impact	short term effects during construction from potential release of vehicle operating fluids.
Transportation and Parking	Adverse, less than significant	No impact	short term effects to transportation during construction from construction vehicles on local roads.
Utilities	No impact	No impact	No effect on utilities
Environmental Justice	No impact	No impact	No effect on environmental justice

No significant adverse direct, indirect, or cumulative effects to these resources are anticipated during construction or operation of the Proposed Action.

As noted above in Table 1, no effects to utilities, cultural resources, environmental justice or community services would be anticipated during construction or operation of the Proposed Action. Any potential minimal effects to these technical resource areas, as well as potential adverse effects to the additional resource areas discussed above, would be further reduced or avoided through implementation of standard environmental BMPs, or management measures, incorporated into this Proposed Action, and discussed in Chapter 3 and summarized in Table 2 in Chapter 5. Furthermore, less-than-significant beneficial effects to aesthetics, land use, and socioeconomics would be anticipated during construction or operation of the Proposed Action.

Agency and Public Involvement

Programmatic Environmental Assessment

During development of the PEA, the VA held an informational meeting with local veterans to introduce the VA team, explain the general process that will be involved with the design, construction and operation of the Proposed Action, and gather input about the project.

Additionally, VA, as the Federal proponent of this Proposed Action, published and distributed the Draft PEA on June 1, 2012, for a 30-day public comment period. No public comments were received. The Final PEA and associated FONSI were published on July 17, 2012.

Site-Specific Environmental Assessment

The overall conceptual design of the National Cemetery presented at the PEA informational meeting and in the Draft PEA for public comment has not substantively changed to date. For Phase 1, public involvement for the Draft SEA Preferred Action Alternative and No Action Alternative involved a 30-day public comment period between March 17, 2014 and April 17, 2014, announced by a Notice of Availability (NOA) published in the *Florida Today* newspaper on March 17, 22, 23 and 24, 2014. Review copies of the Draft SEA were made available for public review at the Mims Public Library, Oak Hill Public Library, and on the VA website. During the 30-day public comment period, a public meeting was held on March 27, 2014 at the Titusville VFW to present and obtain public comment on the Draft SEA. A NOA for the public meeting was published with the aforementioned NOA. Public comments obtained during the meeting and received by mail within the 30-day public comment period were reviewed and addressed, as warranted, and incorporated into the Final Phase 1 SEA.

For Phase 2, the VA, as the Federal proponent of this Proposed Action, published and distributed the Draft SEA for a 30-day public comment period beginning 17 April 2020; a copy of the Notice of Availability (NOA) is provided in Appendix A of this Final SEA. Printed copies were available for public review at the Cape Canaveral National Cemetery Administration Building, and a copy was available for download electronically at the VA website <http://www.cem.va.gov/cem/EA.asp>. As no controversy or resistance to the PEA was noted during the initial public scoping meeting, a Phase 2 public meeting is not warranted. The PEA public meeting covered the entirety of the proposed action, including Phase 2. The specifics of Phase 2 are consistent with the overall PEA, and therefore, no additional meeting has been deemed necessary. The project was subject to public comment via the required public review process where the draft SEA was available via the VA website, and at the cemetery administration building. No comments from the general public were received.

Conclusion

The evaluation performed in this SEA concludes there would be no significant adverse direct, indirect or cumulative effect to the local environment or quality of life associated with implementation of the Preferred Action Alternative, provided the identified BMPs to minimize and manage potential impacts are implemented as part of the Proposed Action.

1. INTRODUCTION

This Site-Specific Environmental Assessment (SEA) has been prepared to identify, analyze, and document the potential physical, environmental, cultural, and socioeconomic effects associated with Phase 2 of the Department of Veterans Affairs' (VA), Proposed Action, the construction and operation of a National Cemetery on 52-acres of a 318-acre site in unincorporated Mims in Brevard County, Florida (the Site; see Figure 1). Construction of the National Cemetery was initiated in 2014 and will be completed in multiple phases extending for the next 100 years or more.

This SEA derived from the Final Programmatic EA (PEA) completed by VA on July 17, 2012, as part of the site acquisition process. The Final PEA analyzed the potential environmental effects of acquiring a site in unincorporated Mims for the Proposed Action of constructing and operating a National Cemetery. The Final PEA identified that VA would prepare this subsequent, phase-specific SEA to more precisely analyze and evaluate the potential effects of the Proposed Action when site-specific design information became available. The Final PEA also identified environmental best management practices (BMPs) to minimize and mitigate potential impacts that have been subsequently incorporated into VA's site-specific Proposed Action.

This SEA has been prepared to analyze and evaluate the potential effects of the construction and operation of the proposed National Cemetery using the latest design information for the project, which was unavailable at the time the Final PEA was prepared. This SEA is prepared in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 United States Code [USC] 4321 et seq.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Environmental Regulations [CFR] Parts 1500-1508), 38 CFR Part 26 (Environmental Effects of the Department of Veterans Affairs Actions), and VA's NEPA Interim Guidance for Projects (VA 2010).

This Chapter presents introductory and background information concerning the Proposed Action for proper analytical context; identifies the purpose of and need for the Proposed Action; describes the Federal decision to be made concerning the Proposed Action; identifies relevant environmental documents; provides a summary of public and agency involvement (and key issues and concerns identified); and identifies Federal, State, and local regulations and permits applicable to the Proposed Action.



Figure 1. General Location Map for the Proposed Phase 2 of the Cape Canaveral National Cemetery

1.1 Purpose and Need

The **purpose** of the Proposed Action is to enable VA to provide eligible Veterans and their families in central east Florida with a new National Cemetery of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years. The establishment of such a cemetery would help VA comply with the Service Members Civil Relief Act.

The Proposed Action is **needed** to meet the VA's National Cemetery Administration's goal of increasing burial options in areas with an unserved Veteran population, as specified by Congress, of at least 80,000. Burial at a National Cemetery is an earned benefit provided to Veterans through the VA. In addition, the new National Cemetery is needed for VA to comply with the service members Civil Relief Act.

VA has established three objectives that define outcomes for VA burial programs. One of these objectives is to ensure that burial needs of Veterans and eligible family members are met. NCA further defines this objective on the assumption that the burial needs of a Veteran are met if they have reasonable access to burial option, where reasonable access to a burial option is

defined as “...a first interment option (whether for casketed remains or cremated remains, either in-ground or in columbaria) in a National or State Veterans Cemetery...available within 75 miles of the Veteran’s place of residence.” VA established a 75-mile service area standard because NCA data show that more than 80 percent of persons interred in National Cemeteries resided within 75 miles of the cemetery at the time of death. The NCA estimated an unserved Veteran population of over 163,000 living within the central east Florida area in 2010, included in the 75-mile radius for this proposed National Cemetery. The new cemetery would provide additional capacity, as well as improved access to Veterans and their families (i.e., reduced travel time to a National Cemetery), and would balance the currently unequal geographic distribution of VA National Cemeteries within the State of Florida (see Figure 2). The Proposed Action will provide burial facilities for eligible Veterans in central east Florida with a Veteran population currently not served by an open National Cemetery.

In the independent Evaluation of the VA Burial Benefits Program (August 2008), NCA reviewed where it has been and reflected on future burial strategy to continue meeting the needs of our Nation’s Veterans. This evaluation also noted that there is a gap between the size of population centers served by a National Cemetery and state cemeteries. Hence, based upon that study, Congress established a new Veteran population threshold to increase access to a burial option where the underserved Veteran population is at least 80,000. The Veteran population in central east Florida meets this threshold for eligibility to establish a new National Cemetery.

In accordance with the Service Members Civil Relief Act, also known as the Veteran’s Benefit Act of 2010, Public Law 111-275, Sec. 503, Reports on Selection of New National Cemeteries (38 USC 2400), VA was directed to establish five new National Cemeteries, including a cemetery in central east Florida.

Thus, the construction and operation of the proposed National Cemetery at the Site acquired in July 2012 following the completion of the Final PEA (VA 2012a) meets the VA’s purpose and need set forth above.



Figure 2. Map of Florida National Cemeteries

1.2 Background

On July 17, 2012, VA finalized a PEA that identified, analyzed, and documented the potential physical, environmental, cultural, and socioeconomic effects associated with VA's proposed selection and acquisition of a site for the future establishment of a National Cemetery in Mims, Brevard County, Florida (VA 2012a). This Final PEA is available through the VA website (www.cem.va.gov/cem/EA.asp). The reader is referred to that document for additional background information.

As a result of the PEA process, on July 31, 2012 VA selected and acquired a 318-acre site from First Equity Development Group, Inc. in Brevard County, Florida (see Figure 1) for future construction and operation of a National Cemetery. The PEA assessed the potential effects of site selection and generally assessed the potential effects of constructing and operating a National Cemetery at that location. Although the site for the proposed National Cemetery was selected through that process, VA had not yet developed a detailed engineering design and could not analyze site-specific potential effects associated with construction and operations of the cemetery. Based in part on the PEA, VA has now completed the final master plan (herein Master Plan 5, or MP5; VA 2013a) for establishment of a National Cemetery at this site.

A SEA associated with the Final PEA analyzed the site-specific, potential environmental effects that could occur at the Site and within the Proposed Action's region of influence (ROI) based on the final MP5 design. That SEA (May 2014) addressed the detailed engineering design for the site along with the construction and operation of Phase 1.

This SEA addresses the construction and operation of Phase 2 of CCNC and is in full compliance with CEQ Regulations that state that NEPA documents should be "analytic rather than encyclopedic" (40 CFR Part 1502.2a) and that scoping should be used to "identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (40 CFR Part 1506.3), narrowing the discussion of these issues in the statement [EA] to a brief presentation of why they would not have a significant effect on the human environment or providing a reference to their coverage elsewhere" (40 CFR Part 1501.7(a)(3)). As such, VA is using "Incorporation by Reference" per 40 CFR Part 1502.21 and from 40 CFR Part 102.20 to reduce the volume of this SEA and rely on the information previously developed and analyzed as part of the Final PEA.

Through this process, and by incorporating into the site-specific Proposed Action the BMPs, or environmental management measures, identified in the Final PEA and determined to be consistent following reanalysis during the SEA, VA determined that the following technical resource areas were sufficiently analyzed in the Final PEA and do not require further analysis in the Phase 2 SEA:

- Cultural Resources
- Land Use
- Socioeconomics
- Community Services
- Environmental Justice

Table 1 identifies all technical resource areas considered per the VA NEPA Interim Guidance for Projects, dated 30 September 2010 (VA 2010), and succinctly provides the rationale as to why each technical resource area was either retained for further analysis or eliminated from this SEA, referencing the Final PEA (VA 2012a) where appropriate.

Table 2. Technical Resource Areas Retained for or Eliminated from Further Analysis in this SEA.

Technical Resource Area	Retained for Further Analysis	Reasoning
Aesthetics	Yes	Final PEA concluded visual effects during construction, limited tree clearing and elevation regrading, would be less-than-significant. The SEA analyzes additional site-specific MP5 construction and operation information, including beatification of Site to a National Shrine. See Section 3.1 for more information
Air Quality	Yes	Final PEA concluded less-than-significant air quality effects from construction activities, including construction vehicle emissions and local visitors' vehicle emissions. The SEA analyzes additional site-specific MP5 construction and operation information. See Section 3.2 for a detailed discussion.
Cultural Resources	No	Final PEA concluded less-than-significant cultural resource effects based on the results of a Phase 1 Cultural Resources Survey (Atkins 2012) and consultation with Florida SHPO and Native American Tribes that no adverse effects to archeological resources or historic structures eligible for or listed on the National Register of Historic Places (NRHP) would occur within the Proposed Action's Area of Potential Effect (APE). Any potential effects that may occur would be reduced or avoided with the implementation of the BMP's identified in Table 2. As such, the issue is not analyzed in depth in this SEA. In addition, Florida SHPO reviewed the project area for possible effects on historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) in accordance with Section 106 and 36 CFR Part 800 regulations and concluded that the proposed project will have no effect on historic properties listed, or eligible for listing, in the National Register of Historic Places.
Geology, Topography, and Soils	Yes	Final PEA concluded less-than-significant effects from land clearing and that regrading would cause direct soil erosion and indirect sedimentation impacts on water quality during construction. Construction and operation would have no effect on geology based on two on-site geotechnical investigations and absence of karst. The SEA analyzes additional site-specific MP5 construction and operation information. See Section 3.3 for a detailed discussion.
Water Resources	Yes	Final PEA concluded less-than-significant impacts from construction and operation on surface waters and ground water, but additional analysis needed based on MP5

		design information. Additionally, Final PEA concluded less-than-significant impacts through design to avoid potential wetlands/ <i>Waters of the United States</i> (33 CFR part 328), and 100-year floodplains. The SEA analyzes the additional site-specific MP5 construction and operation information, including an on-site survey for Federally-designated wetlands, including design avoidance measures, See Section 3.4 Water Resources for a detailed discussion.
Wildlife and Habitat	Yes	Final PEA concluded avoidance and management measures would reduce potential significant impacts on biological resources to less-than-significant levels. The SEA analyzes additional site-specific MP5 construction and operation information, including an on-site survey for specific listed species and habitat. See Section 3.5 for a detailed discussion.
Noise	Yes	Final PEA concluded less-than-significant noise impacts from construction and vehicle traffic, and from routine maintenance during operations. The SEA analyzes additional site-specific CD2 construction and operation information, including rifle salutes during committal services. See Section 3.6 for a detailed discussion.
Land Use	No	Final PEA concluded long-term positive land use effects by preserving open space within the ROI and developing the Site consistent with local zoning ordinances. Construction dust and noise would cause less-than-significant effects and would be reduced or avoided with implementation of the BMPs identified for Aesthetics (Section 3.1), Air Quality (Section 3.2), and Noise (Section 3.6) as summarized in Table 2. As such, this issue is not analyzed in depth in this SEA.
Socioeconomics	No	Final PEA concluded positive effects on socioeconomics due to increased local employment and personal income during construction, and indirect positive effects to the local economy during operation. There would be no effect on health or safety risks to children during construction or operation. As such, this issue is not analyzed in depth in this SEA.
Community Service	No	Final PEA concluded no effect on community services during construction and operation, including fire, police, or other public services. As such, this issue is not analyzed in depth in this SEA.
Solid and Hazardous Materials	No	Final PEA concluded less-than-significant effects during construction and operation, including release of vehicle fluids and maintenance materials, and use of municipal potable water to avoid probable presence of ethylene dibromide (EDB) in groundwater. The SEA analyzes

		additional site-specific CD2 construction and operation information, including chemical analysis of on-Site groundwater. See Section 3.7 for a detailed discussion. In addition, during the public comment period BCFR/Dispatch searched their databases and found no responsive records with regards to responding to any HazMat incidents on or near this property.
Transportation	Yes	Final PEA concluded less-than-significant transportation effects from construction vehicles, and visitor traffic on local roadways during operation. The SEA analyzes additional site-specific CD2 construction and operation information, including results from an on-Site Traffic Impact Analysis. See Section 3.8 for a detailed discussion.
Utilities	Yes	Final SEA concluded less-than-significant effects on utility consumption during construction and operation. The SEA analyzes additional site-specific CD2 construction and operation information, including a reassessment of municipal utilities available at the Site. See Section 3.9 for a detailed discussion.
Environmental Justice	No	Final PEA concluded no effects on Environmental Justice during construction and operation because no specific concentrations of minority or low-income populations are located in the vicinity of the Site. As such, this issue is not analyzed in depth in this SEA.

1.3 Decision-making

VA, as a Federal agency, is required to incorporate environmental considerations into their decision-making process for the actions they propose to undertake. This is done in accordance with the regulations identified in Section 1.1.

The purpose of this SEA is to inform Federal decision-makers and the public of the potential environmental effects of the Proposed Action and its considered alternatives, prior to making a Federal decision to move forward with the Proposed Action. In this manner, the Federal decision-makers can make a fully informed decision, aware of the potential environmental effects of the Proposed Action. Overall, this EA's purpose is to:

- Inform decision-makers and the public of the possible environmental effects of the Proposed Action and its considered alternatives, as well as methods to reduce these effects.
- Document the NEPA process. Allow for public input into the decision-making process.
- Allow for informed decision-making by the Federal government.

This Federal decision-making includes identifying the actions that the Government would commit to undertake to minimize environmental effects, as required under the NEPA, CEQ Regulations, and 38 CFR Part 26.

The decision to be made is whether, having taken potential physical, environmental, cultural, and socioeconomic effects into account, VA should implement the Proposed Action and, as appropriate, carry out measures to reduce effects on resources. Implementation of the BMPs identified in the Final PEA and additional BMPs identified herein, summarized in Table 2, and incorporated into the Proposed Action would ensure direct, indirect, and significant cumulative effects would not occur.

2. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

This Chapter provides the reader with necessary general information regarding the Proposed Action and its alternatives, including those that VA initially considered, but eliminated, and the reasons for eliminating them. The screening criteria and process developed and applied by VA to hone the number of reasonable alternatives is described, providing the reader with an understanding of VA's rationale in ultimately retaining for analysis one action alternative, the Preferred Action Alternative, that best meets VA's purpose of and need for the Proposed Action.

2.1 Proposed Action

2.1.1 Site-Specific National Cemetery Components

Cemetery Elements

Based on current master planning data, the proposed National Cemetery would be constructed in multiple phases over the next 100 or more years. All phases of development have been designed to avoid environmentally constrained areas (e.g., wetlands, floodplains), which would be left undeveloped and remain as scenic locations at the cemetery. Specifically, an approximately 18-acre wetland located east of Dixie Way would not be developed. Additionally, areas within the 100-year floodplain would not be developed, including an approximately 32-acre area located east of Dixie Way, and an approximately 2.6-acre area located on the eastern side of the northern end of Dixie Way. Areas within the 100-year floodplain would not be developed but would instead be reserved for possible use as future surface water bodies.

Phase 2 is approximately 52 acres in the central portion of the Site (Figure 3). There are no Federally-designated wetlands or 100-year floodplains in the Phase 2 area (USACE JD 2010 [SAJ-2010-02735 NPR, re-issued 27 January 2020]). The Phase 2 area would include the construction of the cemetery roads, one 4.75-acre stormwater retention pond, and approximately 32,320 internment sites (Figure 3). Construction access to the Phase 2 area would be provided by an access road extending from Huntington Avenue to an equipment lay-down area. The Phase 2 construction would take place within one year and will be done within approximately two years.



Figure 3. Proposed Phase 2 for the Cape Canaveral National Cemetery

Additionally, prior to construction and operation of future phases, a new and separate NEPA analysis would be performed to assess potential impacts and identify any warranted management and/or mitigation actions for each future phase. Each subsequent phase of future cemetery development would add interment sites until the proposed cemetery could accommodate approximately 150,000 total interment sites at full build-out (Figure 4). Approximate numbers of burial sites include 67,233 double-depth, pre-placed crypts in 3' x 7'-8" sites; approximately 3 pre-placed urn vaults in 4' x 4' sites; approximately 59,768 columbarium niches; approximately 4,588 gravesites (4' x 10' with a beam for headstones) for private vaults; and approximately 1,202 oversized, pre-placed crypts (in 4' x 10' sites). No additional ossuaries would be constructed in the future phases. Three additional committal service shelters would be constructed during future phases (for a total of 5 committal service shelters at the Site after full build-out).

Based on the final CD2 design of the Phase 2 area, development would provide all facilities necessary to maintain, operate, and provide interment sites for at least 10 years. In total, the Phase 2 area would include approximately 32,394 gravesites, including approximately 300 over-sized crypts; 7,470 pre-placed crypts; in-ground crypts; 12,320 columbarium niches; and 12,304 pre-placed urn vaults in 4' X4' sites.



Figure 4. Proposed Build-out (Phases 1-7) for the Cape Canaveral National Cemetery

Other Site-Specific Elements (from the final CD2 design)

Night-time Lighting

The cemetery would not include street lighting. The only lighting proposed would be associated with the flagpole, as well as security lighting at the Maintenance Building, Administration/PIC building and at the front entry to the cemetery on U.S. Highway 1.

Use

Areas of the Site not developed during Phase 2 would be left in their current state. VA would remove dead and dying/unhealthy trees from the Site, as well as potentially re-plant grassland portions of the Site with native species.

Buffers

VA would maintain forested buffers along all Site boundaries, except for the western entrance boundary (improved with signage), to minimize effects to the surrounding

residential community. The proposed contractor site access road connecting to Huntington Avenue would be carefully sited to ensure appropriate line-of-sight for oncoming traffic.

Avoidance of Environmentally Sensitive Areas

Based on the analyses and findings of the Final PEA (VA 2012a), and review of the MP5 design, VA has designed the proposed National Cemetery to avoid designated 100-year floodplains and on-site jurisdictional wetlands/Waters of the US, including appropriate buffers around these areas to the greatest extent possible. No Federally-designated wetlands are present west of Dixie Way (USACE JD 2010 [SAJ-2010-02735 NPR, re-issued 27 January 2020]). VA has also designed the proposed National Cemetery to retain and maintain as many healthy, mature, native trees as possible. Please see Sections 3.2, 3.6, 3.7, and 3.10 of this SEA for more information.

Proposed Use Levels

Upon completion of the Phase 2 development, the National Cemetery would typically be used every day throughout the year. Approximately 150 visitors could be expected on a daily basis, with six staff members present on site on weekdays. Up to 12 funeral processions per weekday (average 30 cars per procession), generating approximately 500 vehicles on a busy day would be anticipated. The cemetery would be closed to the public at night.

Stormwater Management

To accommodate known stormwater management issues at the site, VA plans to design and construct an active (wet) stormwater retention pond in the Phase 2 area, in addition to the existing pond 6 within Phase 2. These ponds would contain aeration modules to maintain high water quality. Additionally, retention ponds could be an additional source of water for the ground's irrigation system. The full build-out of the master plan concept would include a total of eight ponds at the overall Site.

Utility Requirements - Electricity, Natural Gas, Telecommunications, Sewer, and Potable and Irrigation Water Supply

Operation of the proposed National Cemetery would require consumption of utilities from Mims and/or Brevard County. VA would continue to coordinate with local service providers to ensure that any increase in consumption would remain within available local capacities. During preparation of the SEA, VA contacted service providers about the availability of the respective utilities at the Site. The Final PEA conclusions that electricity and telecommunications services would be available and suitable for the National Cemetery remain consistent. The SEA determined that sanitary septic sewerage, natural gas, and water (potable, irrigation, fire suppression) services are not available from local utility providers. The SEA analysis for these utilities is described as follows:

- Sanitary Waste Disposal – The Scottsmoor area is serviced by individual on-site septic systems. There is no available option for sanitary sewer service from a public utility. Septic tanks and two drainfields associated with Phase 1 have been previously constructed. No septic is proposed as part of Phase 2.
- Natural Gas – no natural gas is available in the Scottsmoor area, and the use of underground natural gas tanks serve two natural gas-fueled emergency generators in Phase 1. The development of Phase 2 will not require the use of natural gas.
- Potable Water, Irrigation Water, Fire Suppression Water – The Scottsmoor area is serviced by individual on-site potable water wells. There is no available option for potable water from a public utility. Potable water would be obtained from on-site groundwater wells. Irrigation water would be obtained from, the stormwater retention ponds and/or the on-site groundwater wells. Fire suppression water would be obtained from the stormwater retention ponds connected to dry hydrants throughout the site.

With the completion of Phase 2, the cemetery is estimated to use over 730,000 gallons per day (GPD) at peak season, 79.8 million gallons per year (GPY) used annually, with a daily annual average of 215,889 GPD. Based on the proposed irrigation plan, The Phase 2 area includes approximately 13.5 newly irrigated acres, and 11.75 acres of irrigation renovation.

Sustainability Considerations

As part of the design process, VA would specifically comply with the USEPA's Technical Guidance on Implementing the Stormwater Run-off Requirements for Federal Projects under Section 438 of the EISA (USEPA 2009).

2.1.2 Environmental Best Management Practices, Permits, and Approvals

Land improvement activities associated with implementation of the Proposed Action would include land clearing, excavation, soil stockpiling, grading, installing various site improvements, creating roads, creating stormwater retention ponds, and extending selected utilities to serve the National Cemetery.

Prior to constructing any component of the Proposed Action, VA would obtain all required Federal and State permits and approvals necessary to comply with applicable laws. Furthermore, VA would attempt to comply to the best extent possible with the guidelines of applicable local permits.

In addition, VA would implement the BMPs listed in Table 2 as part of the Proposed Action. These include measures that serve to proactively mitigate adverse environmental effects, as identified through the PEA and this SEA process.

2.2 Alternatives Analysis

The NEPA, CEQ Regulations, and 38 CFR Part 26 require that all reasonable alternatives be rigorously explored and objectively evaluated. Alternatives that are eliminated from detailed study must be identified along with a brief discussion of the reasons for eliminating them. For the purposes of this analysis, an alternative was considered “reasonable” only if it would enable VA to accomplish the primary mission of providing a suitable National Cemetery site that meets the purpose of and need for the Proposed Action. “Unreasonable” alternatives would not enable VA to meet the purpose of and need for the Proposed Action.

2.2.1 Initial Alternatives Design Development (Screening Criteria)

After VA acquired the Site, VA initiated an extensive five-step Master Planning Process to determine the optimal configuration of the proposed National Cemetery. As part of that Master Planning Process, VA identified the following ten primary screening criteria to guide the detailed conceptual design for the proposed facility. VA developed these site-specific criteria based on the physical, operational, and location requirements of the Proposed Action, as well as cost, environmental issues, and other factors, as described below. Satisfaction of VA's screening criteria would provide locations and facilities best suited to meet the purpose of and need for the Proposed Action, while minimizing overall project costs and environmental effects. These criteria included:

1. Components. The components of the proposed National Cemetery should meet the minimum requirements set forth in NCA guide (VA 2008) and described in Section 2.1.1.
2. Capacity. The proposed National Cemetery should provide sufficient capacity for the needs of Veterans and their families within the region for at least 100 years. Based on VA's calculations, this included minimum capacity for up to 6,800 interments every 10 years in 10 distinct phases, with each phase having a 10-year capacity. A minimum total of 68,000 interments should be provided.
3. Availability. The design of the first phase of the proposed National Cemetery should ensure that Phase 2, or a portion of Phase 2, is available as quickly as possible, preferably by 2020. Phase 2 should include all required basic cemetery components, as well as the initial roadway and utility infrastructure. Phase 2 should be sited in the central portion of the Site directly adjacent to Phase 1, allowing a logical pattern for future phases of development.
4. Aesthetic Buffers/Land Use Compatibility. The design of the proposed National Cemetery should incorporate sufficient, tree-lined buffers along the southern and northern boundaries to provide an aesthetic screen for adjacent residential areas.

5. Stormwater Management. The design of the proposed National Cemetery should not increase flooding of adjacent lands and should serve to properly manage on-site stormwater, potentially reducing flooding in the area in compliance with Section 438 of the EISA.

6. Maximize Use of Disturbed Areas and Existing Topography. The design of the proposed National Cemetery should incorporate existing topography to the maximum extent possible to minimize required earthwork and should focus development in previously grazed/disturbed on-Site grasslands to minimize the need for tree removal. Existing mature, native, and healthy trees should be incorporated into the site design to the maximum extent possible.

7. Avoid Sensitive Environmental Areas. The design of the proposed National Cemetery should avoid on-Site 100-year floodplains, and wetlands/*Waters of the United States* (33 CFR part 328), to the maximum extent possible, including retaining sufficient buffers around these areas. The design should comply with applicable State and Federal environmental permitting requirements and processes, as well as consider local permitting guidelines. (The final CD2 design for the Phase 2 area would not impact floodplains or wetlands.)

8. Cost. The design of the proposed National Cemetery should result in the most cost-effective development of the Site, including minimizing required cut-and-fill and other construction costs.

9. Access. The primary access to the Site should be from U.S. Highway 1, with a secondary service access road connecting the southeastern side of the Phase 2 area to Dixie Way. Both access roads should be sited and installed to ensure proper traffic line-of-sight and to minimize traffic. A construction/contractor access road should be from Huntington Avenue (northern portion of the Site) and extend south to the Phase 2 area.

10. Utilities. The design of the proposed National Cemetery should ensure that facilities requiring utilities are sited as proximate as possible to existing utility infrastructure to reduce construction costs.

2.2.2 Evaluated Alternatives

Preferred Action Alternative

VA identified one reasonable alternative (MP5) that best met all of VA's screening criteria, and purpose and need for the Proposed Action. This alternative is shown in Figure 4 and described in Section 2.1.2.

No Action Alternative

Under the No Action Alternative, the Proposed Action would not be implemented. Veterans and their families residing in central east Florida would continue to be underserved; in many cases, this would continue to require Veterans and their families to travel more than 75 miles to reach a National Cemetery. The distribution of National Cemeteries in the region would continue to be unequal, and VA would not be in compliance with the requirements of the Service Members Civil Relief Act.

While the No Action Alternative does not meet the purpose and need for the Proposed Action, this alternative was retained, as it reflects the status quo and serves as a benchmark against which the effects of the Proposed Action can be evaluated, as required under the CEQ Regulations (40 CFR Part 1502.14).

3. AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

This Chapter describes the baseline (existing) physical, environmental, cultural, and socioeconomic conditions within Phase 2 of the proposed National Cemetery site in Mims, Brevard County, Florida, and its general vicinity, with emphasis on those resources potentially affected by the Proposed Action.

In this SEA, effects are identified as either significant, minor (i.e., common effects that would not be of the context or intensity to be considered significant under the NEPA or CEQ Regulations), or no effect. Where appropriate and clearly discernible, each effect is identified as either adverse or beneficial.

CEQ Regulations specify that in determining the significance of effects, consideration must be given to both “context” and “intensity” (40 CFR Part 1508.27):

- Context refers to the significance of an effect on society as a whole (human and national), to an affected region, to affected interests, or to just the locality. In other words, the context measures how far the effect would be “felt.”
- Intensity refers to the magnitude or severity of the effect, whether it is beneficial or adverse. Intensity refers to the “punch strength” of the effect within the context involved.

In this SEA, the significance of potential direct, indirect, and cumulative effects has been determined through a systematic evaluation of each considered alternative in terms of its effects on each individual Technical Resource Area. Significance criteria for technical resource areas considered in depth in this SEA are as follows:

- Aesthetics - An alternative could significantly affect visual resources if it resulted in abrupt changes to the complexity of the landscape and skyline (i.e., in terms of vegetation, topography, or structures) when viewed from points readily accessible by the public.
- Air quality - An alternative could have a significant air quality effect if it would result in substantially higher air pollutant emissions or cause established air quality standards to be exceeded.
- Geology, Topography and Soils - If an alternative would result in an increased geologic hazard or a change in the availability of a geologic resource, it could have a significant effect. Such geologic and soil hazards would include, but not be limited to, seismic vibration, land subsidence, and slope instability (Figures 5 and 6).
- Water Resources (Surface Waters and Wetlands; Floodplains; Groundwater; Coastal Zone Management) - If an alternative would result in a reduction in the quantity or quality of water resources for existing or potential future use; if the demand exceeded the capacity of the potable water system; if it would cause substantial flooding or erosion; if it would subject people or property to flooding or erosion; if it would adversely affect a significant water body, such as a stream, lake, floodplain, or coastal zone; or if it would cause measurable degradation of wetlands it could have a significant effect.



Figure 5. Topography Map of the Proposed Cape Canaveral National Cemetery

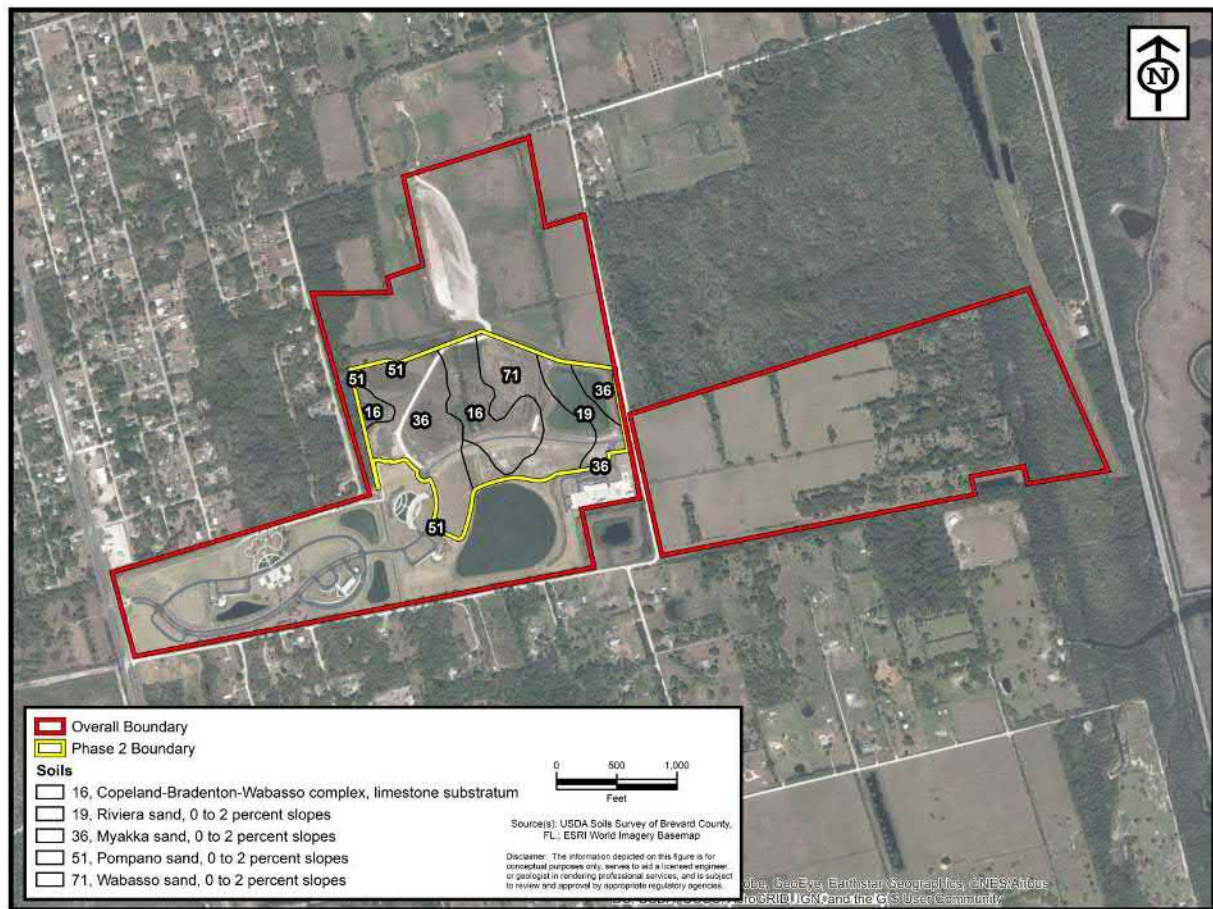


Figure 6. Site Soils Map for the Proposed Phase 2 of the Cape Canaveral National Cemetery

- **Wildlife and Habitat** - The effect of an alternative on biological resources and ecosystems could be significant if it would disrupt or remove any endangered or threatened species or its designated critical habitat. The loss of a substantial number of individuals of any plant or animal species (sensitive or non-sensitive species) that could affect the abundance or diversity of that species beyond normal variability could also be considered significant.
- **Noise** – If an alternative would result in significantly adverse increases in ambient noise levels at sensitive receptors or result in excessive ground-borne vibration to persons or property, it could have a significant effect.
- **Solid and hazardous waste** - An alternative could have a significant effect if it would result in a substantial increase in the generation of hazardous substances, increase the exposure of persons to hazardous or toxic substances, increase the presence of hazardous or toxic materials in the environment, or place substantial restrictions on property use due to hazardous waste, materials, or site remediation.

- Transportation and parking - An alternative could have a significant effect on transportation and parking if it would increase the volume of traffic beyond the existing roadway capacity, cause parking availability to fall below minimum local standards.
- Utilities - An alternative could have a significant effect on utility infrastructure if it would increase demand over capacity, requiring a substantial system expansion or upgrade, or if it would result in substantial system deterioration over the current condition.

3.1 Aesthetics

Phase 2 is an approximately 52-acre portion of the approximately 318-acre Site situated in a predominantly low-density residential and agricultural area in Mims, Brevard County, Florida (see Figure 1). Phase 2 is comprised of improved pastures, man-made ditches, and a mixed hardwood/coniferous forest along the ditches. No buildings are located on the Site. The Site is currently zoned Agricultural Residential (AU) with a future land use designation of Residential 1 (one dwelling unit per acre).

The adjacent area located to the north of the Site currently includes undeveloped wooded land, unimproved farmland, scattered commercial properties (along U.S. Highway 1), and a residential neighborhood. The adjacent area located to the east of the Site is currently occupied by a small private airfield (Tradewinds Aerodrome Airport) and Florida East Coast Railroad tracks, beyond which is the Indian River Lagoon. The adjacent area located to the south of the Site, beyond phase 1, is currently undeveloped land, unimproved farmland, and scattered residential and commercial properties (along U.S. Highway 1). The adjacent area located to the west of the Site includes currently undeveloped land and residential properties.

3.1.1 Effects of the Preferred Action Alternative

During the construction periods associated with Phase 2 and each future phase through full build-out of the final CD2 design, there would be minor short term, adverse, effects. Construction activities including excavation, grading, and vehicle travel on paved and unpaved surfaces could generate fugitive dust emissions that can lead to nuisance concerns, such as reduced visibility on nearby roadways. During construction, fugitive dust emissions would be controlled and limited by implementing the BMPs for dust control and construction operations (e.g. limit vehicle speed; road wetting; tarp-covered haulers) identified in Table 2. Additionally, soils exposed during construction would be reseeded or replanted once grading activities are completed.

Following construction and during operation of the National Cemetery, there would be long-term, beneficial aesthetic effects. The Preferred Action Alternative would change the aesthetic quality of the Site by beatification from agricultural fields to a permanent National Shrine improved with park-like landscaping, a tree-lined and fenced perimeter, water features, formal entrance signage, and grounds under continuous maintenance (Figure 4).

3.1.2 Effects of the No Action Alternative

Under the No Action Alternative, the National Cemetery would not be constructed at the Site and no adverse or beneficial aesthetics effects would result. Should the Site ultimately be developed for another use, aesthetic effects could result from that changed land use. Based on current zoning of the Site, future development could be more extensive than proposed by VA and could result in greater aesthetics effects than the Preferred Action Alternative. Any future development of the Site, however, would also be required to comply with local land development permitting processes.

3.1.3 Mitigation/Management Measures

Based on the final MP5 design, the Final PEA (VA 2012a) conclusions that construction and operation would produce less-than-significant minor short term, adverse, visual aesthetic effects remain consistent. The BMPs as described in the Final PEA and presented in this SEA in Table 2 also remain consistent for the final MP5 design and are as follows:

- Incorporate existing large trees into the cemetery design wherever possible.
- Maintain and add trees to the existing tree-lined Site perimeter to obstruct views of construction.
- Create and routinely maintain landscaped areas, buildings, roadways, and signage.
- Implement the construction-related BMPs for dust control described for Air Quality below.

3.2 Air Quality

According to the Florida Department of Environmental Protection (FDEP), Division of Air Resource Management, Brevard County is currently designated as a full attainment area (FDEP 2011), meaning the ROI, including the Site, has good ambient air quality, and a Conformity Determination is not required.

Given the current land use of the Site, no sources of regulated air emissions exist (e.g., from boilers, emergency generators, or other minor equipment). As such, the VA as the Site owner does not have, and is not required to have, a Title V operating permit based on current conditions.

Sensitive air quality receptors in the vicinity of the Site are limited and include local residential land uses (Figures 1 and 4). Outward Bound School (3558 Sunset Avenue) is located approximately 0.5 mile north of the Site. There are no other schools or hospitals located within 0.5 mile of the Site. No other sensitive air quality receptors were identified.

3.2.1 Effects of the Preferred Action Alternative

The Final PEA concluded that construction and operation of a typical National Cemetery would be expected to have minor direct and indirect, short- and long-term adverse impacts to the existing air quality environment around the Site.

Based on the final CD2 design, during operation of Phase 2 and future phases, sources of air emissions would solely include vehicles visiting the Site. Although a greater number of vehicles would be present on-Site compared to the No Action Alternative, the Proposed Action would result in less vehicle emissions in the region because Veterans and their families would not be required to travel greater distances to other National Cemeteries in Florida.

3.2.2 Effects of the No Action Alternative

Under the No Action Alternative, the National Cemetery would not be constructed; therefore, no significant adverse air quality impacts would result at the Site. However, greater vehicle emissions would be generated in the region by visitors' vehicles because Veterans and their families would be required to travel greater distances to other National Cemeteries in Florida. Should the Site ultimately be developed for another use, air quality impacts could result from that changed land use and would depend upon the nature of the development.

3.2.3 Mitigation/Management Measures

Based on the final MP5 design, the Final PEA (VA 2012a) conclusions that construction and operation would produce less-than-significant minor short term, adverse, air quality effects remain consistent. The BMPs as described in the Final PEA and Table 2 also remain consistent for the final MP5 design and are as follows:

- Use appropriate dust suppression methods during on-Site construction activities. Available methods include application of water, dust palliative, or soil stabilizers; use of enclosures, covers, silt fences, or wheel washers; and suspension of earth-moving activities during high wind conditions.
- Maintain an appropriate speed, between 5-10mph, to minimize dust generated by vehicles and equipment on unpaved surfaces.
- Cover haul trucks with tarps.
- Stabilize previously disturbed areas through re-vegetation or mulching if the area would be inactive for several weeks or longer.
- Visually monitor all construction activities regularly, particularly during extended periods of dry weather, and implement dust control measures including water trucks abiding by common construction practices.

3.3 Geology, Topography, and Soils

The Final PEA (Section 3.5) presented background information on geology, topography, and soils. The Final PEA described potential impacts to these resources from construction and operation of a National Cemetery, as well as BMPs to mitigate potential impacts. The following subsections present the SEA analysis of site-specific final CD2 design information regarding geology, topography and soils.

3.3.1 Geology

The Site is located in an area where karst conditions are present but relatively uncommon and minimal (VA 2012a). No karst conditions were encountered on-site during either of the two previous on-Site geotechnical investigations (TTL 2011; Nodarse 2013), nor the more recent Phase 2 specific investigation (Terracon 2019).

3.3.2 Topography

The U.S. Geological Survey topographical map for this area (Oak Hill Quadrangle, 1997) identifies the site as having elevations of approximately 15-20 feet NGVD. The Site is relatively flat with minimal topographical relief. The highest elevation is approximately 20 feet above mean sea level (amsl) on the western portion of the Site, and the lowest elevation is approximately 15 feet amsl on the eastern portion of the Site. The Site generally slopes to the east.

3.3.3 Soils

In February 2019, a geotechnical investigation was performed in the Phase 2 area at the Site (Terracon 2019). The investigation included 15 borings completed to a depth between 15 to 20 feet below grade in the Phase 2 area. The geotechnical investigation findings for the Phase 2 area are summarized below:

- Soil conditions observed consisted of mostly sands with inclusions of various amounts of silt and shell. Difficult excavations may be experienced due to relatively shallow dense layers observed. This generally occurs in thin layers. It is expected that this material will be broken up by conventional excavation equipment, but in rare cases specialized equipment may be required.
- Groundwater is located at depths between 2.5 to 6 feet below the existing grade throughout the site. Normal seasonal high groundwater levels are generally expected to vary from about 1 to 2 feet below existing grade.
- Small, lightly loaded structures can be supported on conventional shallow foundations, following adequate site preparation. Based on the borings performed, an allowable bearing capacity of 2,000 psf is feasible with a minimum bearing depth of 18 inches.
- The site appears suitable for support of conventional concrete and asphalt pavements. Stabilizing material will likely be necessary for the construction of pavement subgrades.
- The use of a normally wet detention pond appears to be most suitable for the treatment of stormwater runoff. Shallow dry retention swales may be feasible if constructed in well-draining materials and elevated sufficiently above wet season groundwater levels.
- Temporary dewatering may be required for construction of the stormwater pond and other excavations during development of the site. In addition, depending on proposed final grades and groundwater levels at the time of construction, dewatering may be required for preparation of foundation bearing soils.

Prime Farmland

According to the USDA NRCS, Brevard County contains approximately 217,580 acres characterized as prime, unique, or locally important farmland (NRCS 2010). Upon acquisition of the property, the VA leased farmland at the site for cattle grazing. No active lease currently occurs within Phase 2, and the development of Phase 2 will not impact Prime Farmland.

3.3.4 Effects of the Preferred Action Alternative

Geology

Based on the final MP5 design, the Final PEA (VA 2012a) conclusion that the Preferred Action Alternative would have no significant impact on geology remains consistent.

Topography

Based on the final CD2 design, minor changes to topography would be required to accommodate selected burial areas (Figure 5). The on-site geotechnical investigations (Terracon, 2019) indicated the depth to groundwater in the Phase 2 area generally ranged from approximately 2.5 to 6 feet bgs, with a reported high water table of approximately 1 to 2 feet bgs. A standard burial depth requires approximately 10 feet of soil above the water table; therefore, approximately 2 feet of fill would be used to raise the grade of selected burial areas to minimize the impacts of the high groundwater. Excess on-Site soil generated during the excavation for the four stormwater retention ponds in the Phase 2 area would be used as the fill material along with the adjacent stockpile on-site north of Phase 2. This will eliminate the need to obtain and transport off-Site fill to the site.

The long-term topographic changes would result in less-than-significant adverse effects. Drainage changes, caused by modifying the Site topography, resulting in any increase in stormwater run-off would be attenuated by the stormwater management system and the stormwater retention ponds in the Phase 2 area. Additionally, the aesthetic effects of the changes in topography would not be visible from adjacent properties due to the tree-lined border, as previously described in Section 3.1.

Soils

Based on the final CD2 design, construction of the approximately 52-acre Phase 2 area would include land clearing/grubbing, excavation, regrading, installation of interior roadways and parking areas, and stormwater pond creation. Regrading would occur throughout the entirety of the Phase 2 area.

Soils exposed during construction are susceptible to surface run-off, which has the potential to result in increased sedimentation in the on-Site stormwater management systems, and the potential for off-Site discharges of sediment-laden run-off. The exposed soil would also be susceptible to erosion by wind, increasing the amount of dust

(particulates) in the air, causing a potential short-term respiratory hazard and a visual nuisance (dust on local roads). Potential releases of hydraulic fluids from construction equipment could impact soils. General construction practice BMPs identified below and summarized in Table 2 in Chapter 5 would be implemented to avoid such impacts and releases (e.g. inspect and maintain equipment in good working order), and/or limit the extent of impacts should a release occur (use spill kits to contain releases).

After the Phase 2 area construction is completed, operation of the National Cemetery would have no long-term erosion and sedimentation impacts. The National Cemetery will be landscaped, and native drought-resistant grasses would be planted for aesthetic value and for erosion control purposes.

It is estimated that approximately 13.5 acres will be permanently irrigated after construction is completed in the Phase 2 area (along with 11.75 acres of irrigation renovation). The remaining area is for stormwater retention ponds and roadways. The irrigation plan will ensure that exposed soils will quickly be re-vegetated and have a healthy ground cover year-round. The landscaping design includes a variety of trees and shrubs adapted to the specific climate of central east Florida and avoids non-native and invasive species (VA 2013a).

The construction-related soil erosion and sedimentation effects during construction of the Phase 2 area during future phases would cease once construction of each phase is completed. As such, soil erosion and sedimentation effects, though adverse, would be minor and short term. These effects would be further reduced through implementation of general construction BMPs identified below and summarized in Table 2, and adherence to the terms of the FDEP NPDES General Permit for Construction Activity and the SJRWMD Environmental Resource Permit (ERP).

Operation of the National Cemetery would have no adverse significant soil erosion and sedimentation effects. No long-term soil erosion impacts would occur as a result of increased impervious surfaces on-site; these effects would be further reduced by the final CD2 design stormwater system, which includes operation of stormwater retention ponds constructed within the Phase 2 area. Impervious paved areas would drain to the stormwater retention ponds.

Based on the final CD2 design, the Phase 2 area does not include any soil within a 100-year floodplain. Additionally, future phases avoid development within 100-year floodplain areas located in the northeastern and eastern portions of the Site. The floodplain topic is discussed in further detail in Section 3.4.2.

Prime Farmland

Construction and operation of the Phase 2 area would not result in any loss of farmland on-site. Later phases are still being leased for use as agricultural operations and will be addressed as part of a future SEA associated with a future Phase.

3.3.5 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. No impacts to geology, topography, or soils would occur. Should the Site ultimately be developed for another use, impacts would result from that new development, and would depend upon the nature of the development.

3.3.6 Mitigation/Management Measures

Geology

No management measures are necessary for geology.

Topography

Create and maintain a tree-lined border to further minimize visual minor impacts of topographical changes.

Soils

Implementing construction BMPs to reduce erosion and sedimentation impacts during construction would further minimize the potential impacts on local soils and water quality. Prior to construction of the Phase 2 area, the construction contractor would develop, submit to the FDEP, and have approved, an NPDES permit for the Proposed Action. The NPDES permit would require stormwater run-off and erosion management using BMPs such as earth berms, detention basins, vegetative buffers and filter strips, and vehicle-equipment spill prevention and management techniques. The construction contractor would implement the following BMPs as appropriate and necessary to protect surface water quality, as part of the NPDES permit:

- Design paved areas to drain to the stormwater management system.
- Use results from the detailed geotechnical analysis at the Site to locate stormwater management systems in on-Site sand areas with adequate recovery.
- Install and monitor erosion-prevention measures (BMPs), such as silt fences and water breaks, detention basins, filter fences, sediment berms, interceptor ditches, straw bales, rip-rap, and/or other sediment control structures; re-spread stockpiled topsoil; and seed/re-vegetate areas temporarily cleared of vegetation.
- Retain on-Site vegetation to the maximum extent possible.
- Plant and maintain soil-stabilizing vegetation on disturbed areas.
- Use native vegetation to re-vegetate disturbed soils.
- The construction contractor would obtain all required permits before any proposed construction activities commence and would adhere to permit conditions during all on-Site construction activities.

If measures in the NPDES permit are approved and correctly utilized for Site development, soil erosion and resulting indirect sedimentation effects would be minor. Successful implementation of these measures would ensure that the Proposed Action is in

compliance with State and Federal water quality standards and minimizes both the short and long-term potential for erosion and sedimentation.

Prime Farmland

No management measures are necessary to address loss of Prime Farmland.

3.4 Water Resources (Surface Waters and Wetlands; Floodplains; Groundwater; Coastal Zone Management)

3.4.1 Surface Waters and Wetlands

As described in the Final PEA (Section 3.6.1), a forested wetland complex in the eastern portion of the Site on the tract east of Dixie Way was identified by the USFWS Online Wetland Mapper; it is noted that the Phase 2 area is not located within the tract east of Dixie Way. In addition, man-made drainage canals are shown on the Oak Hill and Mims, Florida USGS Topographic Quadrangle maps. All of the manmade drainage channels at the site appeared to be of surficial connection to Big Flounder Creek.

The VA retained Mabbett Inc. and AECOM Technical Services, Inc. to complete a federal jurisdictional wetland determination for the tract west of Dixie Way in October 2013. The on-Site wetlands survey indicated that the tract west of Dixie Way did not contain any wetlands subject to the regulatory authority of the United States Army Corps of Engineers (USACE) (AECOM 2013b). ESI has since updated the ACOE Approved Jurisdictional Determination (USACE JD 2010 [SAJ-2010-02735 NPR, re-issued 27 January 2020]), and no surface waters or wetlands were in Phase 2 boundaries. Forested floodplain wetlands are located along the eastern boundary of the tract east of Dixie Way as indicated in Figure 7. The locations of the floodplains are identified on Figure 8 and described in further detail in Section 3.4.2. In addition, an extensive man-made ditch network was excavated in the 1970's to control water for agricultural purposes. The majority of the ditches were excavated more than six feet deep, which intersected with groundwater. Ditches currently flood to depths ranging from 0.1 to 3 feet seasonally. The locations of these man-made surface water features are identified on Figure 9.

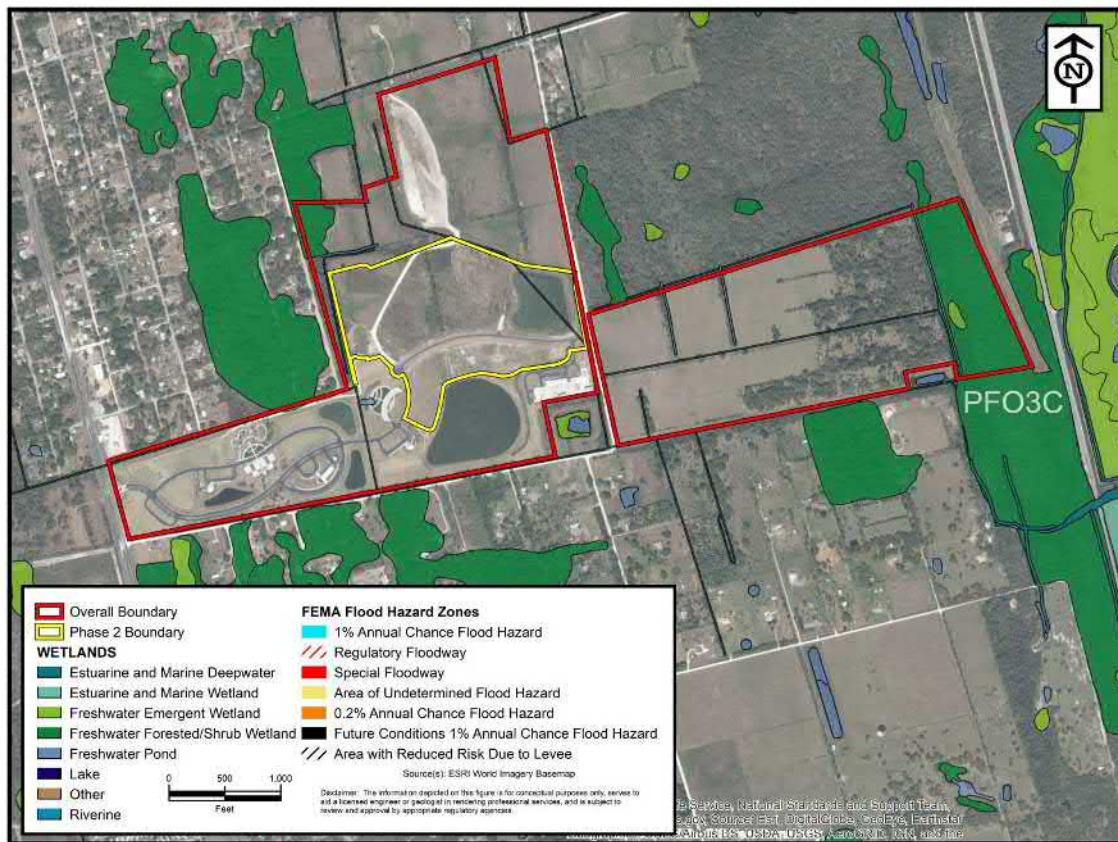


Figure 7. Wetlands and FEMA Flood Zones for the Proposed Phase 2 of the Cape Canaveral National Cemetery

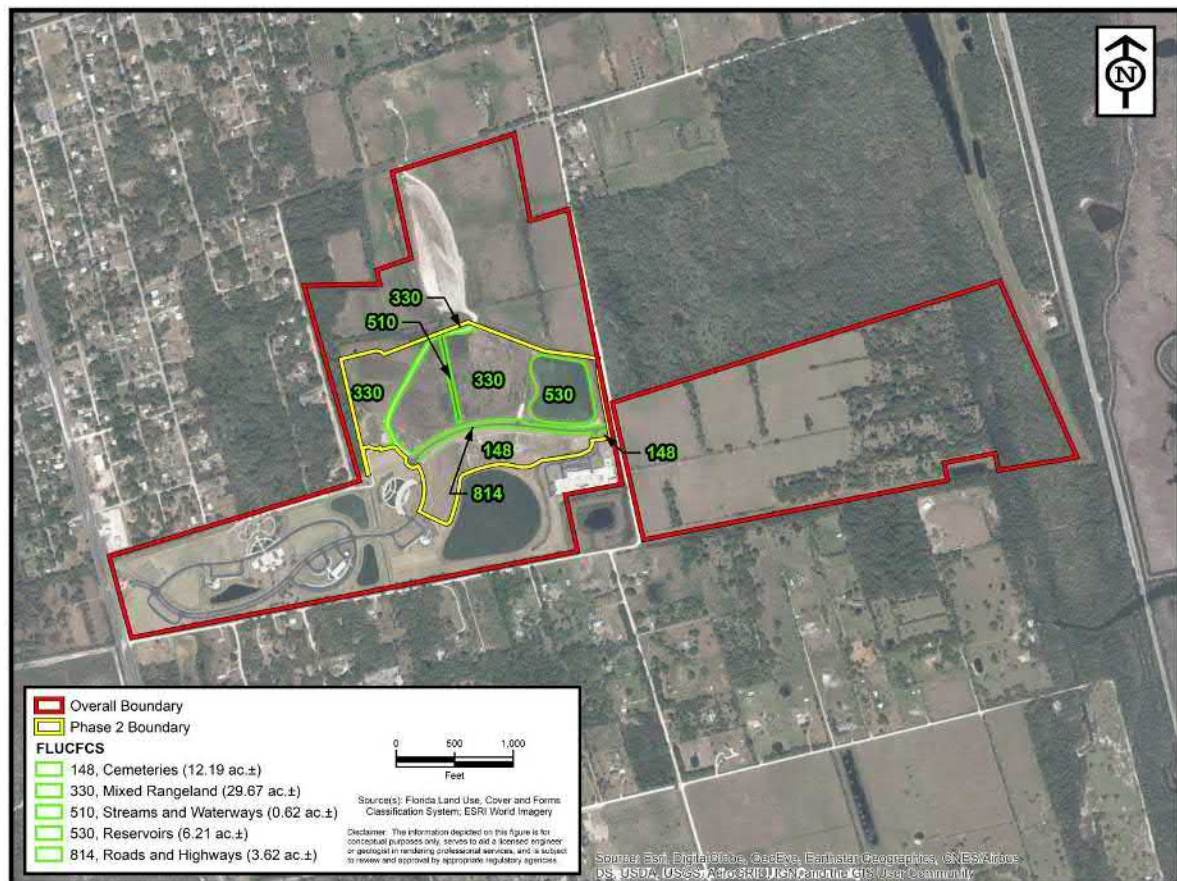


Figure 8. Vegetative Communities for the Proposed Phase 2 of the Cape Canaveral National Cemetery

3.4.2 Floodplains

As indicated in the Final PEA (Section 3.10.2), the Federal Emergency Management Agency (FEMA) floodplain mapping (FIRM Map Number 12009C0040F, dated August 18, 1992), indicates that the eastern approximately 50 acres (16%) of the Site includes areas within the 100-year floodplain (Zone AE). In addition, approximately 2.6 acres (1%) located in the north east central portion of the Site are within the 100-year floodplain (Zone A). The remaining portions of the Site, including the Phase 2 area, are not located in the 100-year or 500-year floodplain (Zone X). Areas adjacent to the north, northeast, east, and southeast of the Site are also included in the 100-year floodplain. The locations of the floodplains are identified on Figure 8.

3.4.3 Groundwater

As described in the Final PEA (Section 3.5.3), the on-Site geotechnical investigation (TTL 2011) indicated that groundwater was encountered across the Site at depths generally

ranging from 3 to 5 feet bgs with a reported high water table of approximately 10 inches bgs. Additional groundwater measurements in December 2013 confirmed that shallow groundwater was encountered at approximately 2.6 to 12.8 feet bgs, with an average of approximately 6 feet bgs (AECOM 2014, Mabbett 2014). The 2019 geotechnical investigations specific to Phase 2 found typical groundwater levels between 2.5 to 6 feet bgs. A standard burial depth requires approximately 10 feet of soil above the water table; therefore, several feet of fill would be required to raise the grade of the Site in select burial areas to minimize the impacts of the high groundwater table.

3.4.4 Coastal Zone Management

The Coastal Zone Management Act (CZMA) was promulgated to control nonpoint pollution sources that affect coastal water quality. The CZMA of 1990, as amended (16 USC 1451 et seq.) encourages States to preserve, protect, develop, and where possible, restore or enhance valuable natural coastal resources such as wetlands, floodplains, estuaries, beaches, dunes, barrier islands, and coral reefs, as well as the fish and wildlife using those habitats. The entire State of Florida is located within a designated Coastal Zone (NOAA 2011).

In Florida, the CZMA is administered by the FDEP-Coastal Management Program (CMP), a State agency that has a current, comprehensive CMP validated by NOAA. Accordingly, the Draft SEA and final MP5 design plans were submitted on March 24, 2014 to the FDEP-CMP (via the Florida State Clearinghouse) to ensure that the Proposed Action is consistent with the CMP's Coastal Zone Management Program.

3.4.5 Effects of the Preferred Action Alternative

Surface Waters and Wetlands

The Preferred Action would not result in adverse effects to surface water or wetlands resources. The overall Site includes surface waters and wetlands discussed above and shown in Figure 7. However, there are no natural surface water bodies and no wetlands within the Phase 2 area as determined by ACOE. There is a 6.33-acre man-made storm water pond in the eastern portion of the Phase 2 site which is complete and will not be altered in anyway during the construction of Phase 2. Furthermore, development of future phases of final MP5 design also incorporates environmentally sensitive site design and good engineering practices, and will involve consultation with pertinent Federal, State, and local regulatory agencies, to ensure that potential surface water and wetlands effects would be avoided or managed by avoiding placing any structure near them. Additionally, a separate NEPA analysis would be performed in advance of construction of future phases of the final MP5 design to assess and ensure potential impacts to any surface water or wetlands in those areas remain at less-than-significant levels.

Floodplains

The majority of the Site is not located in the 100-year or 500-year floodplain (Zone X). According to Federal Emergency Management Agency (FEMA) floodplain mapping,

approximately 50 acres (16%) of the Site includes areas within the 100-year floodplain. As indicated in Figure 8, these floodplains are located in the eastern portion of the Site (outside of the Phase 2 area). Development of Phase 2 will have no impact on floodplains, as the entirety of Phase 2 falls within Floodplain Zone X.

Groundwater

It is not anticipated that groundwater would be affected by the Preferred Action. Groundwater at the Site is present at depths ranging from 2.5 to 6 feet bgs. Where areas of deeper excavation are required, or excavation is required in areas of the Site where groundwater is shallower, appropriate groundwater engineering controls would be utilized during construction to ensure no long-term adverse effects to groundwater. Potential short-term effects on groundwater quality from releases of construction vehicle operating fluids would be minimized by maintaining spill kits and training relevant staff on spill clean-up procedures. As such, effects to groundwater as a result of construction activities are anticipated to be minor.

Groundwater quality would not be affected by normal operation of the cemetery. Based on standard modern burial practices, it is unlikely that embalming fluid or other decomposition byproducts would be released into the soil and/or groundwater. The standard NCA design incorporates (for full casket burials) sub-surface concrete crypts, an entire section of which would be installed during construction. Using this technique, the caskets are not buried directly in the soil, rather set in a pre-placed concrete crypt (established turf and soil temporarily removed, crypt lid removed, casket placed, followed by the reverse process to complete). Modern embalming fluids are markedly less toxic as the primary active ingredients are no longer arsenic based. Additionally, as selection of either cremains interment or columbaria placement increases, the potential for soil or groundwater contamination commensurately decreases as no embalming fluids are used. Additionally, a standard burial depth requires approximately 10 feet of soil above the water table; therefore, several feet of fill would be used raise the grade of the Site in select burial areas to avoid potential contact with the high groundwater table.

In addition, Groundwater shortage events will be addressed by CCNC to ensure local Brevard County Utility Services Department requests and regulations are met during those times of water shortage. Typically, these requests are only pertinent to customers on the Brevard County Utility Services, which CCNC does not utilize. Instead, on-site irrigation practices are driven by reclaimed stormwater and on-site groundwater wells.

Stormwater

According to a preliminary comparison of the predevelopment and post-development conditions for a variety of storm events, the post-development stormwater run-off was shown to be significantly reduced compared to the predevelopment run-off values. The stormwater management facilities would ensure that the post-development discharge conditions would be less than, or equal to, predevelopment conditions.

During the comment period of the SEA the VA received comments from the Brevard County Public Works (BCPW) advised that the VA was not exempt from Right of Way (ROW) permitting for any stormwater discharge in to the county ROW, or the addition of any driveway connections to the existing ROW. Appropriate permitting with the stormwater discharge into the county ROW has been submitted and is in the review process.

Coastal Zone Management

On May 13, 2014, the FDEP-CMP (via the Florida State Clearinghouse) informed the VA in writing that the overall Proposed Action including Phase 2 was consistent with the CMP's Coastal Zone Management Program.

Overall, as described above, the final MP5 design for Phase 2 and future phases coupled with good engineering practices, and consultation with pertinent Federal, State, and local regulatory agencies, avoids placement of any roads, structures, or other man-made effects in or near water resources at the Site. The Phase 2 area has no wetlands or floodplains, and the final MP5 design for future phases also avoids wetlands/Waters of the US and floodplains. Therefore, overall potential effects on water resources would be less-than-significant.

3.4.6 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur and no effects to water resources would occur. Should the Site ultimately be developed for another use, effects would result from that new development, and would depend upon the nature of the development. Based on current zoning of the Site, future development could be more extensive than proposed by VA and could result in greater water resources effects than the Preferred Action.

3.4.7 Mitigation/Management Measures

No project specific mitigation measures are required. VA would implement the following avoidance and management measures to reduce potential adverse effects to water resources. These measures are fully developed as part of this SEA, concurrent with the site design efforts.

The final MP5 design located the Phase 2 area where there are no wetlands or floodplains. General construction practice BMPs would also be implemented to prevent or contain any potential hydraulic oil spills from construction vehicles from reaching surface water resources.

To minimize potential adverse effects to water resources, the final CD2 design has considered the following:

- Avoidance of on-Site (per the jurisdictional determination from USACE) and adjacent wetlands and surface waters and floodplains.

- Balance of pre/post stormwater retention and/or treatment.
- Inspect and maintain construction vehicles in good working order and maintain a spill kit.

In being good environmental stewards, the VA has considered the following State and local (Brevard County) policies and has incorporated them to the greatest extent possible in the final CD2 design as follows:

- Pre/post 100-year volume stormwater retention in association with any proposed future development of the Site.
- Stormwater Management Facilities (SWMFs) and other related stormwater management infrastructure for the Site. The SWMFs would be designed to accommodate excess run-off generated by the proposed cemetery and, if necessary, treat it prior to discharge.
- The potential for sinkhole formation and the potential for direct discharge to the aquifer (i.e., groundwater).

In addition, to further minimize potential adverse effects to the Site, the BMPs indicated in Table 2 in Chapter 5 will be implemented.

Consideration and possible implementation of these management measures and BMPs would ensure identified water resources effects are maintained at less-than-significant levels.

3.5 Wildlife and Habitat

3.5.1 Threatened and Endangered Species

As part of the preparation of the PEA, the USFWS, FDEP, FWC, and Florida Natural Areas Inventory (FNAI) were contacted to identify any potential for the presence of state or federally listed threatened or endangered species on or in the vicinity of the Site. The following list provides a summary of the information provided by these agencies:

- USFWS stated that the Site may include habitat for a number of threatened or endangered species. USFWS recommended that a wildlife survey be conducted on the Site.
- FFWCC stated a number of listed species have the potential to occur on or near the Site, including the following: Gopher tortoise (*Gopherus polyphemus*), Florida pine snake (*Pituophis melanoleucus mugitus*), American alligator (*Alligator mississippiensis*), and Florida scrub-jay (*Aphelocoma coerulescens*). FFWCC recommend that a species-specific wildlife survey be conducted on the Site. Furthermore, FFWCC recommended the applicant coordinate with USFWS regarding those federally listed species (Florida scrub-jay) that may occur on Site.

As part of the initial SEA process, AECOM ecologists in 2013 conducted on-Site surveys comprised of pedestrian and All-Terrain Vehicle (ATV) belt transects for the state-listed gopher tortoise. The surveys were conducted in accordance with the required methods

listed in Appendix 4 of the Gopher Tortoise Permitting Guidelines (hereinafter Guidelines, FWC 2013), specific to a development site. Burrows were not observed in the shrub and brushland vegetative community. The vegetative assemblage in this community is comprised of species that are not suitable forage for the gopher tortoise, therefore these areas are not considered suitable for occupation by gopher tortoises. During the October 2019 SEA for Phase 2 performed by Environmental Services, Inc. (ESI), special attention was given to the potential for gopher tortoises utilizing areas within Phase 2. At no point were any gopher tortoise, or gopher tortoise burrows were observed within the phase's boundary.

AECOM ecologists also conducted surveys in 2013 to evaluate the presence or absence of Florida scrub-jays both east and west of Dixie Way (AECOM 2013a). Surveys were conducted in accordance with the Scrub-Jay Survey Guidelines (USFWS 2007). Accordingly, vegetation types were evaluated and mapped to facilitate the identification of potential scrub habitat capable of supporting the Florida scrub-jay. Vegetation types and associated FLUCFCS codes are shown on Figure 9. Uplands on this site primarily consist of improved (fallow) pasture, and a small area of overgrown mixed hardwood/conifer forest, both listed in the USFWS Guidelines as habitat types to be sampled for the presence of Florida scrub-jays. In general, habitat throughout the tract west of Dixie Way has not been maintained for several years and is severely overgrown. Pastures are currently grazed by cattle on the tract east of Dixie Way. Based on the absence of vegetation and soil types conducive to supporting suitable scrub habitat within the improved pastures, surveys were limited to the mixed hardwood/conifer forest areas, which contained limited habitat capable of supporting Florida scrub-jay activity. Florida Scrub-Jays were not observed during any of the surveys performed for this assessment. A detailed description of the survey methodology and results for each species is included in the Listed Species Survey Report (AECOM 2013a). In addition to the 2013 investigation, no Scrub-Jays were observed in the Phase 2 boundaries, or elsewhere on site during the October 2019 SEA for Phase 2.

ESI conducted a SEA for Phase 2 in October 2019. At no point during the site investigations were any listed species observed on-site, though a Florida Sandhill Crane (*Grus canadensis*), which is a state threatened species, was observed within the previously developed pond 4's littoral fringe (see Figure 9). The previously developed pond will not be altered, nor will the existing pond 6 within Phase 2's corridor. No adverse effect is expected on this species from the continuation of this development.

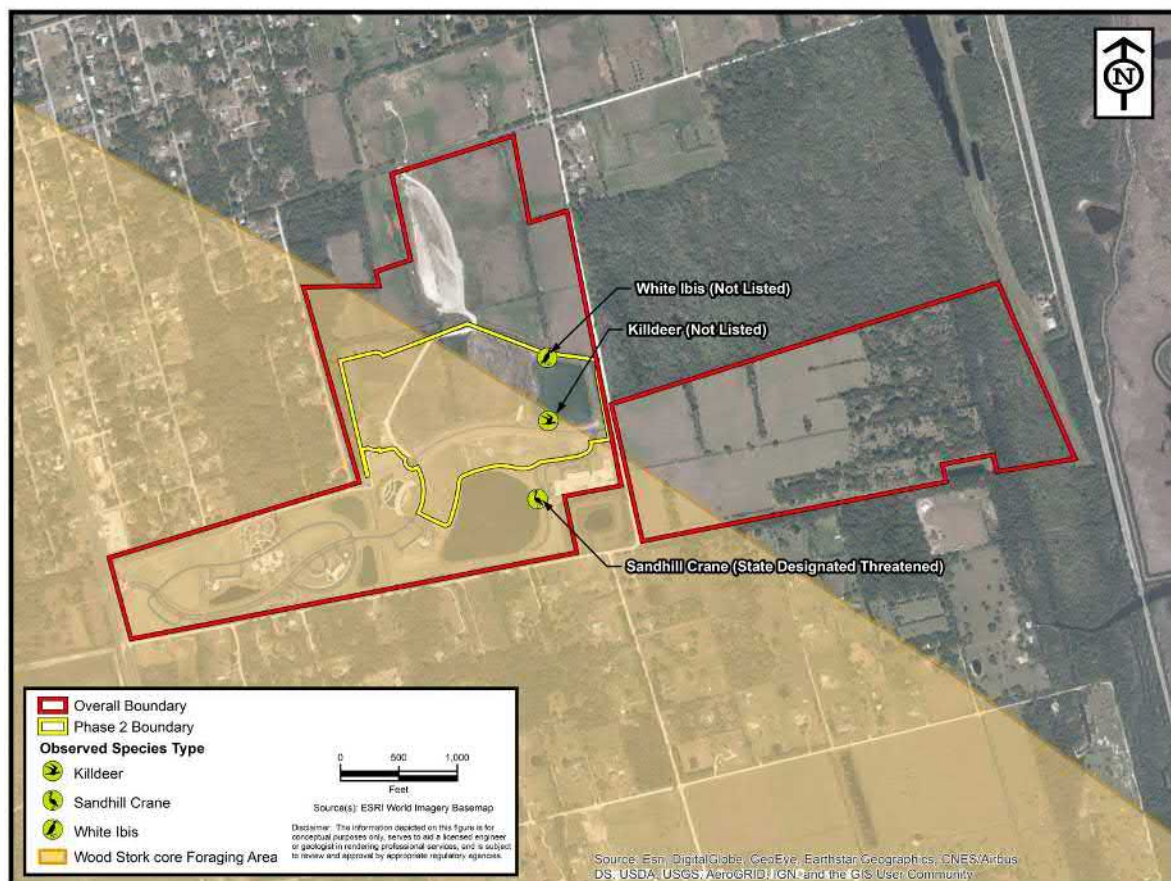


Figure 9. Species observed during the October 2019 SEA for the Proposed Phase 2 of the Cape Canaveral National Cemetery

The Site is located west of the MINWR, a 140,000-acre federal refuge. It is anticipated that use of the Site as a National Cemetery would not have any direct impacts to listed species habitat at the MINWR. However, a MINWR outparcel is immediately adjacent to the Site east of Dixie Way. No information was available regarding the long-term plans for this MINWR outparcel. It is currently unmanaged, vacant, and shown as part of the Indian River Lagoon Blueway (IRLB) acquisition project. This IRLB project spans five counties approximately 150 miles along the east and west sides of the Indian River Lagoon. Marine tidal marsh and maritime hammock cover the majority of the IRLB project. These habitat types do not occur at proposed National Cemetery Site.

3.5.2 Habitat

As described in the Final PEA (Section 3.7.1), the majority of the Site has been converted for agricultural purposes. In the PEA it was determined that potential suitable habitat for two species, the state-listed gopher tortoise and the federally-listed Florida scrub-jay could occur on the Site. As previously described in Section 3.5.1, in October 2019 ESI

ecologists evaluated the habitat on the Site to determine the extent suitable for occupation by the state-listed gopher tortoise and to assess suitability for the federally-listed Florida scrub-jay. As part of this assessment, ESI ecologists reviewed available background information including previous environmental assessments and associated listed species survey data, as well as current and historic aerial photography, land use information, and physiographic and soils data.

The Site is currently comprised of five vegetative communities which have been characterized using Florida Land Use, Cover, and Form Classification System (FLUCFCS) designations (FDOT 1999) as indicated in Figure 9. The majority of Phase 2 (29.67 acres) can be classified as mixed rangeland (FLUCFCS 330). It is located in the central and western portions of the property north of the main east-west roadway bisecting the Phase. No significant canopy species are present. The shrub strata consisted of scattered slash pine (*Pinus elliottii*), saltbush (*Baccharis halimifolia*), and wax myrtle (*Morella cerifera*). The herbaceous layer was dominated by opportunistic species including cogon grass (*Imperata cylindrica*), thistle (*Cirsium horridulum*), black berry (*Rubus sp.*), chalky bluestem (*Andropogon capillipes*), ragweed (*Ambrosia artemisiifolia*), dog fennel (*Eupatorium sp.*), dollar weed (*Hydrocotyle sp.*), golden rod (*Solidago sp.*), and Spanish needles (*Bidens sp.*).

A vegetated ditch (FLUCFCS 510) approximately 0.62 acres in size runs north-south between the northern Phase boundary and the main east-west roadway bisecting the phase. There is no outfall to the north of the phase, and it appears the ditch drains into the permitted stormwater system at the southern terminus of the ditch. The vegetation within the ditch is composed canopy species including slash pine, and cabbage palm (*Sabal palmetto*), with sub canopy species of Brazilian pepper (*Schinus terebinthifolius*), and wax myrtle. The herbaceous layer was scarce with primrose willow (*Ludwigia sp.*), and cana lilly (*Canna sp.*) located near the ends of the ditch.

In addition to the ditch system, a storm water retention area (FLUCFCS 530) associated with the cemetery development has already been constructed within the Phase 2 footprint. It is approximately 6.21 acres in size and located in the eastern portion of the project footprint.

Approximately 12.19 acres of the Phase 2 section can be classified as cemetery (FLUCFCS 148). This is an improved, mowed, and maintained area on the southern extent of the phase.

3.5.3 Effects of the Preferred Action Alternative

The Proposed Action at the Site would have minor adverse effects on biological resources. Some of the natural vegetation communities on the Site, comprised of coniferous/hardwood uplands and mixed forested wetlands, represent original native communities and the vast majority of these natural habitats would remain intact on the Site. The remainder of the Site has been converted to improved and unimproved pastures.

The Listed Species Survey conducted at the Site did not identify populations of federally threatened or endangered, plant or animal species and indicated that the plant communities at the Site are highly altered, in many cases dominated by non-native species and not optimal as habitat for threatened and endangered species (AECOM 2013a). A population of the state-listed gopher tortoise was present on the site but this species has been relocated off-site to permitted recipient sites as authorized by the FFWCC. VA anticipates that through environmentally sensitive site design and following good engineering practices, potential effects to biological resources would be managed to minor levels.

The cemetery design was accomplished in consonance with the existing habitats on the Site. Generally, the forested areas would not be developed. Management measures and BMPs described in Table 2 would be implemented to ensure effects remain at less-than-significant levels.

3.5.4 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur. No effects to vegetation or wildlife habitat would occur. Should the Site ultimately be developed for another use, effects would result from that new development, and would depend upon the nature of the development. Based on current zoning of the Site, future development could be more extensive than proposed by VA and could result in greater biological resources effects than the Preferred Action.

3.5.5 Mitigation/Management Measures

No project specific mitigation measures are required. VA would implement the following avoidance and management measures to reduce potential adverse effects to protected wildlife and habitat to acceptable, less-than-significant levels. VA would continue to consult with the USFWS to minimize adverse effects to protected habitat and wildlife resources prior to and during construction.

The final CD2 design would implement the following management measures and BMPs to reduce biological resources effects during construction and operation of the Proposed Action:

- Construction should be timed to avoid nesting periods of migratory birds potentially on the Site and protected under the MBTA. The MBTA prohibits the taking of migratory birds, their nests, and eggs. Thus, it is recommended that tree removal in the Phase 2 area be conducted outside the migratory bird nesting seasons of December through July so that potential nests are not disturbed.
- Native species would be used to the extent practicable when re-vegetating land disturbed by construction to avoid the potential introduction of non-native or invasive species.

Implementation of these management measures and BMPs would ensure potential effects to biological resources are maintained at less-than-significant levels.

3.6 Noise

The Final PEA described the existing background noise environment and noise sources at the Site and in the surrounding area. Based on a typical National Cemetery design, the Final PEA concluded that minor adverse, short term noise impacts to the surrounding community would be generated during construction and operation of a National Cemetery. However, the Final PEA did not evaluate operational noise impacts generated from M-16 rifle blank salutes during committal ceremonies. Accordingly, this SEA and the Phase 1 SEA analyze potential noise effects based on this new information and the final CD2 design.

3.6.1 Effects of the Preferred Action Alternative

The Final PEA analyzed the noise impact during construction and operation of a National Cemetery at the Site, and concluded that there would be minor short term, adverse noise impacts. During construction of the Phase 2 area, noise would be from construction vehicles entering and exiting the site and associated with land preparation and grading, and from construction of buildings, roads and other infrastructure. Based on the final CD2 design, the Final PEA analysis of construction noise remains consistent.

During operation of the National Cemetery, the primary source of noise would be from three to five salutes from M-16 rifle (5.56 caliber) blank rounds during committal services. The salutes would occur at committal service shelters. The number of salutes depends on the rank of the deceased Veteran. The US Army has predicted peak sound levels for M-16 rifle blanks at target distances ranging from approximately 160 to 5,200 feet (VA 2013b).

In addition to effects resulting from committal ceremonies, daily cemetery operations would cause noise effects from traffic entering and exiting the National Cemetery, ongoing landscaping and grounds maintenance during normal business hours, and HVAC noise from buildings constructed on-Site. However, the additional noise generated from these operational activities would not increase the overall less-than-significant noise effect.

3.6.2 Effects of the No Action Alternative

Under the No Action Alternative, the National Cemetery would not be constructed and the noise environment surrounding the Site would not change. No adverse noise effects presently occur. The noise environment of the Site would not be altered by activities of VA; however, the likely ultimate development of the Site by others would produce similar (or greater) construction and operation noise effects as identified under the Proposed Action.

3.6.3 Mitigation/Management Measures

As previously described, the Final PEA analyzed noise impacts from constructing a National Cemetery at the Site, and concluded that minor short term, adverse construction noise impacts would occur. The Final PEA presented management measures to further

reduce construction-related noise impacts, including limiting construction hours and turning off loud construction-related equipment when that equipment is not in use. The Final PEA analysis and management measures for construction-related noise impacts remain consistent based on the final CD2 design. These management measures are provided in Table 2 and are as follows:

- Coordinate proposed construction activities in advance with adjacent sensitive receptors (residents). Let the local residents know what operations would be occurring at what times, including when operations would start and when they would finish each day. Post signage, updated daily, at the entry points of the Site, providing current construction information, including schedule and activity.
- Limit, to the extent possible, construction and associated heavy truck traffic up to 65 decibels to occur between 7:00 a.m. and 5:00 p.m. or dusk. during normal, weekday work hours. This measure would reduce noise effects during sensitive nighttime hours.
- Locate stationary equipment as far away from sensitive receptors as possible.
- Select material transportation routes as far away from sensitive receptors as possible.
- Shut down noise-generating heavy equipment when it is not needed.
- Maintain noisy equipment per manufacturer's recommendations.
- Encourage construction personnel to operate equipment in the quietest manner practicable (e.g., speed restrictions, retarder brake restrictions, engine speed restrictions, etc.).

During operation of the National Cemetery, salutes using M-16 rifle blanks during committal services would generate minor long-term, adverse noise impacts. The following management measures would be performed to further reduce these operational noise impacts to nearby residential receptors.

- Limit the salutes using M-16 rifle blanks during committal ceremonies to the hours of 7:00 AM to 4:00 PM.
- Limit the number of salutes to 3-5 rifles during an individual committal ceremony.
- Maintain the tree-lined Site perimeter to further reduce noise impacts beyond the Site.

Implementation of these BMPs and management measures for construction and operational noise impacts would further reduce the less-than-significant minor, adverse noise impacts, notably to nearby sensitive receptors (i.e. residential areas near the Site).

3.7 Solid and Hazardous Materials

As described in the Final PEA the VA conducted a Phase I ESA in July 2011 (WBC 2011) to assess whether solid and hazardous wastes were present at the Site. The Phase I ESA did not identify any solid or hazardous wastes at the Site but did identify two recognized environmental conditions (RECs) at the Site. The two RECS were (1) the presence of Ethylene Dibromide (EDB), a soil fumigant, in nine separate drinking water wells in the vicinity of the Site in excess of applicable cleanup criteria; and (2) the presence of Chemko Technical Services, a Resource Conservation and Recovery Act (RCRA) Corrective Action Activity Site, located approximately 650

feet south of the southwestern corner of the Site. The Phase I ESA concluded that neither REC warranted further action or investigation, as groundwater impacts from Chemko Technical Services are classified by EPA as “under control”; and based on the assumption that municipal water was provided to the Site and vicinity. However, the SEA has confirmed that municipal water is not provided to the Site and vicinity.

The Final PEA indicated that EDB-contaminated groundwater underlying the Site was probable given its presence in vicinity of the Site. Groundwater underlying the Site would be used as a potable water source and potentially for the on-Site irrigation system. If the underlying groundwater is contaminated with EDB or other hazardous substances, the irrigation system could spread potential contaminants at the Site. As such, the Final PEA recommended that the VA conduct an investigation to assess whether groundwater underlying the Site contains environmental contaminants, including EDB, as well as concentrations of drinking water parameters and groundwater quality parameters.

In December 2013, the VA completed the groundwater investigation at the Site. The investigation is described in the Aquifer Pump Test Report (AECOM 2014). Briefly, in December 2013, VA installed a monitoring well (“APT1”) screened at 5-15 feet below the ground surface in the shallow aquifer in the western portion of the Phase 1 development area. Groundwater at this location and screen interval is representative of groundwater that may be used for irrigation during operation of the National Cemetery. Between December 10 and 20, 2013, three separate groundwater samples were collected, and each was submitted for EDB (EPA Method 8011) and environmental contaminant parameter analysis, one sample was also analyzed for ground water quality parameters. The laboratory reported analytical results indicated that none of the collected groundwater samples contained EDB above the laboratory method reporting limit at 0.003 micrograms per liter (µg/l), and none of the detected environmental contaminants were detected above FDEP Surface Water criteria. The groundwater quality data indicated that the groundwater was suitable for use as on-Site irrigation water. Additionally, a groundwater sample was collected from an existing on-Site groundwater monitoring well (“Well #3”) and analyzed for drinking water parameters. The laboratory analytical data indicated that the groundwater was suitable for drinking water. Based on these site-specific data, there are no solid or hazardous substances in groundwater at the Site. Additionally, the Aquifer Pump Test findings demonstrated that pumping groundwater from the APT1 well at a rate of up to 6 gallons per minute had a range of influence of approximately 116 feet from the APT1 well, suggesting that offsite groundwater potentially contaminated with EDB was not drawn onto the Site in the shallow aquifer (0-15 feet below grade).

In addition to previous site investigations, the VA received comments from Brevard County Fire Rescue (BCFR) during the comment period of the SEA stating that BCFR/Dispatch searched their databases and found no responsive records with regards to responding to any HazMat incidents, which concluded BCFR’s response to the letter.

No other solid and hazardous materials were identified as being present at the Site.

3.7.1 Effects of the Preferred Action Alternative

The Final PEA conclusion that construction and operation of a National Cemetery at the site would result in minor short-term adverse effects, remain consistent based on the final CD2 design.

The increased potential for presence and use of solid and hazardous materials during construction of the National Cemetery would result in minor short-term adverse effects. Additionally, a small increase in construction vehicle traffic would increase the potential for release of vehicle operating fluids at the site during the construction period. Such releases would be immediately addressed by site safety spill prevention and control measures to minimize potential impacts.

It is anticipated that the operation of the National Cemetery will result in no significant long-term adverse impacts. There would be no substantial increase in the generation of solid, hazardous, or waste substances. There would be no increase in the presence of hazardous or toxic chemicals in the environment on site, and no substantial restrictions on the property use due to hazardous waste, materials, or site remediation. All solid or hazardous materials needed to operate the National Cemetery would be managed in accordance with VA's solid and hazardous materials SOP's and all applicable Federal and State laws. In addition, the VA has no plans of using embalming fluid during the burial process.

3.7.2 Mitigation/Management Measures

To manage the short-term, adverse, less-than-significant effects associated with construction and operation of the National Cemetery, the VA would implement existing standard construction BMPs. These include:

- During construction and operation of the National Cemetery, comply with existing VA standard operating procedures (SOPs) and applicable Federal and State laws governing the use, generation, storage, or transportation of solid or hazardous materials.
- If hazardous substances are released to the Site during construction or operation, applicable Federal and State requirements must be followed in response and cleanup.
- Avoid or limit the use of hazardous materials, including building material products, during construction and operation of the National Cemetery. If hazardous materials are required during construction and/or operation of the National Cemetery, store these materials in locations designated for hazardous materials (e.g. locked and labeled cabinets).

3.8 Transportation and Parking

The Final PEA described the transportation and parking characteristics at and in vicinity of the Site. Using this information, the Final PEA concluded that a National Cemetery would likely have minor adverse effects to transportation and parking. However, the Final PEA recommended that a Traffic Impact Analysis be performed to obtain site-specific information for analysis in the SEA.

As such, in July 2013 a Traffic Impact Analysis report was prepared (England 2013). The following sections address the impacts and applicable BMP's described in the Final PEA, as well as the potential impacts based on the site-specific final CD2 design and results of the Traffic Impact Analysis.

The Traffic Impact Analysis provided site-specific conditions for the transportation corridor between Flounder Creek Road and Sunset Avenue (England 2013). The report indicated that the Space Coast Transportation Planning Organization designated this corridor as a rural principle arterial in a transitioning area with a minimum level of service (LOS) of C, and confirmed that the corridor currently is operating at LOS of B. The posted speed within the limits of the study is 60 mph. The FDOT has designated this section of U.S. Highway 1 as Access Management Class 3, indicating medians are restrictive. Manual and machine traffic counts recorded on U.S. Highway 1 indicated that the roadway segments and intersections functioned at an acceptable level of service on a daily basis, and both in the morning and afternoon peak periods. Approximately 400-500 vehicles were counted during AM and PM peak travel times on U.S. Highway 1, and the annual average daily traffic count was between 4,250 and 5,700 (England 2013). Ambient traffic levels have been growing at less than 1% per year. The report indicated that fewer crashes at the intersections within the transportation corridor have occurred in comparison to the estimate in the American Association of State Highway and Transportation Officials Highway Safety Manual.

3.8.1 Effects of the Preferred Action Alternative

During construction of the Phase 2 area, increased traffic would consist of trucks, workers' personal vehicles, and construction equipment. Based on current and predicted future traffic volumes on roadways around the Site (England 2013), the likely increase in construction traffic volumes during morning and evening peak travel periods, as well as potential delays/rerouting caused by utility work at the Site, would result in minor short term, adverse effects on local residents' travel or degradation of road quality.

During operation, visitors would travel to and from the National Cemetery at various times during the day during daylight hours, likely outside of peak travel times. Staff at the National Cemetery would commute to and from work during peak travel hours (i.e., at 8 a.m. and 5 p.m.). Funeral processions could have periodic, short-term traffic impacts at peak times.

Based on the Traffic Impact Analysis, the average annual daily traffic volume on U.S. Highway 1 was between 4,250 and 5,700 (England 2013). The Traffic Impact Analysis estimated 465 vehicles per day would visit the National Cemetery by 2020 (based on approximately 14,800 occupied burial sites), and 685 vehicles per day by 2030. This increase in traffic volume during operations is less than 20% above current traffic volumes and would not produce a significant long-term, adverse impact to local traffic conditions as defined at 38 CFR 26(2)(ii); this regulation defines a significant traffic impact as "an increase in average daily traffic volume of at least 20% on access roads to the Site or the major roadway network." As such, the increase in traffic from workers and visitors to the National Cemetery would have no significant adverse effects.

3.8.2 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur and therefore no impacts to transportation and parking would be anticipated. However, should the Site ultimately be developed by others, impacts similar to those identified under the Preferred Action Alternative could occur. The type and magnitude of transportation effects would be dependent upon that proposed future use.

3.8.3 Mitigation/Management Measures

The Proposed Action would have no adverse effect on parking. As part of the Proposed Action, transportation impacts would be maintained at less-than-significant minor levels through implementation of the following BMPs:

- Use results presented in the Traffic Impact Analysis (TIA) for the Proposed Action to identify transportation conditions and recommended improvements.
- Coordinate with the Florida Department of Transportation (FDOT) to ensure that construction and operational traffic are considered in the planning of future transportation improvements in this vicinity.
- Coordinate with FDOT to identify and implement roadway improvements, as necessary, such as turn lanes and signals.
- Ensure debris and/or soil is not deposited on local roadways during the construction period.
- Ensure construction activities do not adversely affect traffic flow on local roadways; construction would be timed to avoid peak travel hours.
- VA would coordinate with local officials and the FDOT to ensure that construction and operational traffic are considered in the planning of any future transportation improvements in this vicinity.

3.9 Utilities

The Final PEA (VA 2012a) identified utilities that would be needed during construction and operation of a National Cemetery at the Site. These utilities included electricity, natural gas, telecommunications (data/telephone), sanitary septic sewerage, and water (potable, irrigation, fire protection). During the PEA process, local utility service providers were contacted to determine availability of each service at the Site. The Final PEA concluded the increased consumption of these utilities during construction and operation of a National Cemetery would have no significant adverse impacts. However, the Final PEA indicated that each utility provider would need to review the final CD2 design for the National Cemetery to confirm their preliminary findings and to provide approval for connection/extension requirements to service the National Cemetery.

Based on the final CD2 design, utilities that would be required during the construction and operation of the National Cemetery include potable water, electricity, natural gas, telecommunication services, septic system services, irrigation water, and fire protection service water. However, during the SEA analysis of the final CD2 design, the municipal utility service

providers indicated that no municipal service to the Site is available for water, natural gas, or sanitary septic sewerage. A summary of the updated SEA analysis is provided below.

1. Water: The Brevard County Utilities (BCU) does not supply potable water to the Site or vicinity. Based on the final CD2 design, potable water would be provided by an on-Site well and package water treatment plant. Irrigation water would be provided by the stormwater retention ponds, and if necessary, by an on-Site well. Fire protection water would be provided by the stormwater retention pond with connections to dry hydrants throughout the Site.

2. Sanitary Waste Disposal - The BCU does not supply septic sewer service to the Site or vicinity. Based on the final CD2 design, no septic service is needed within Phase 2.

3. Electricity: Florida Light and Power (FLP). FPL supplies electric service to the Site and vicinity. According to FLP, the electrical service in the vicinity of the Site is adequate for the Proposed Action. Proposed Action design plans would require approval from FLP prior to development activities.

4. Natural Gas: The Florida City Gas Company (FCGC) does not supply natural gas to the Site area. A natural gas tank installed at the Site would be serviced on an as needed basis by one or more of several available local vendors. No natural gas supply is required for the construction and operation of Phase 2.

5. Communication/Data: Brighthouse Networks and AT&T provide telecommunication services to the Site and vicinity. The Proposed Action is likely to require minimal telecommunication services; therefore, the telecommunications services in the Site and vicinity are likely to be adequate for the Proposed Action.

3.9.1 Effects of the Preferred Action Alternative

Based on the response from utility services, the only available utilities supplied by off-Site providers include electricity, and telecommunications services. No other utilities would be obtained from municipal service providers.

Based on the final CD2 design, electricity needs would be minimal, as Phase 2 would not include street lighting. No telecommunication services will be necessary within the Phase 2 footprint.

Based on the final CD2 design, the increased consumption of these utilities would have no significant effect on the service providers.

If the stormwater retention ponds in the final CD2 design are not sufficient for irrigation needs, the on-Site groundwater wells may be used to provide a supplemental water source. Based on the final CD2 design, the Proposed Action would require large volumes of irrigation water to maintain landscaped areas and the cemetery grounds. With the completion of Phase 2, the cemetery is estimated to use over 730,000 gallons per day (GPD) at peak season, 79.8 million gallons per year (GPY) used annually, with a daily annual average of 215,889 GPD. Based on the proposed irrigation plan, The Phase 2 area

includes approximately 13.5 newly irrigated acres, and 11.75 acres of irrigation renovation.

Based on the SEA analysis of the final CD2 design, construction and operation of the National Cemetery would have no significant effect on consumption of utilities.

3.9.2 Effects of the No Action Alternative

Under the No Action Alternative, no construction by VA would occur; therefore, there would be no effect on consumption of utilities at the Site. However, should the Site ultimately be developed by others, impacts similar to those identified under the Proposed Action could occur. The type and magnitude of utility effects would be dependent upon that proposed future use.

3.9.3 Mitigation/Management Measures

Potential effects to utilities would be maintained at acceptable levels through the implementation of the following management measure:

- Submit design plans to each applicable utility provider to determine and implement any specific connection requirements.

3.10 Cumulative Effects

3.10.1 Considered Cumulative Actions

The Proposed Action would retain many of the current features at the Site, while preserving natural resources through environmentally sensitive development. The unincorporated town of Mims in Brevard County is not expected to undertake any new construction or transportation-related projects in the near future or over the next century (Brevard County Planning Department, 2014). Therefore, cumulative impacts associated with the Proposed Action would not be anticipated.

3.10.2 Effects of Cumulative Actions on the Preferred Action Alternative

Should unanticipated projects be developed in the surrounding area during the lifetime of the Proposed Action cumulative impacts could result. However, as described throughout Chapter 3, impacts associated with the Proposed Action were identified as less-than-significant and minor. These included potential less-than-significant minor impacts to aesthetics (short term); air quality (short term); topography and soils (short and long term); water resources (surface water, wetlands, floodplains, groundwater) (short term); wildlife and habitat (short and long term); noise (short and long term); solid and hazardous materials (short term); and transportation (short term). All of these adverse, less-than-significant minor impacts are further reduced through careful coordination and implementation of general BMPs, avoidance and management measures, and compliance with regulatory requirements as identified throughout Chapter 3 and summarized in Table 2 in Chapter 5. Additionally, no effects to geology,

coastal zone management, parking, utilities, cultural resources, or community services would be anticipated during construction or operation of the Proposed Action. Furthermore, less-than-significant beneficial effects to aesthetics, land use, and socioeconomics would be anticipated during construction or operation of the Proposed Action. Given the nature of the Proposed Action, and the lack of other current or planned future projects nearby, no significant cumulative adverse effects to any of these resource areas are anticipated. As such, no cumulative adverse effects to any of these resource areas would be anticipated. Additionally, following construction and operation of Phase 2, and prior to construction and operation of future phases in the final MP5 design, a new and separate NEPA analysis would be performed to assess any potential impacts associated with each separate future phase and identify any warranted management and/or mitigation actions necessary to reduce or maintain potential impacts at less-than-significant levels.

Close coordination between the Federal, State, and local representatives would serve to manage and control any potential cumulative effects within the region, including managing regional transportation increases with adequate infrastructure. Implementation of land use and resource management plans would serve to control the extent of environmental impacts, and proper planning would ensure future socioeconomic conditions maintain, if not improve, the local standard of living. Implementation of effective resource management plans and programs should minimize or eliminate any potential cumulative degradation of the natural ecosystem.

3.10.3 Effects of Cumulative Actions Under the No Action Alternative

Under the No Action Alternative, adverse cumulative effects from other, future development of the Site could be greater than under the Preferred Action Alternative, depending upon the type, nature, and extent of that future development and use. Without implementation of the Proposed Action, it is anticipated that VA would sell the property, and the property would be developed in consonance with local zoning and applicable regulations. Additionally, beneficial less-than-significant effects during operation of the Proposed Action would not occur to aesthetics (creation of a National Shrine), land use (preservation of open space), and socioeconomics (increased local employment and indirect long-term economic benefit). Based on the absence of development trends in the ROI, this future development would likely remain agricultural or residential. Failure to implement the Proposed Action would result in a regional, potentially significant, adverse cumulative socioeconomic effect on those Veterans in central east Florida. Specifically, VA would not be able to provide these Veterans with a suitable, relatively local National Cemetery for proper burial. These Veterans would be required to use another National Cemetery, if available, or another burial option, and possibly would not be able to exercise the earned benefit of no-cost burial at a National Cemetery. Due to the speculative nature of proposed future Site development under the No Action Alternative, a detailed cumulative effects analysis is not possible.

3.11 Potential for Generating Substantial Public Controversy

As discussed in Chapter 4, VA has solicited input from various Federal, State, and local government agencies regarding the Proposed Action. During the PEA process, several of these agencies provided input; none of the input has identified opposition or controversy related to the proposed National Cemetery at the Site. In addition, the VA published and distributed the PEA, as a Draft, for a 30-day public comment period beginning June 1, 2012. No comments were received. Accordingly, the Final PEA was finalized and a PEA FONSI issued on July 23, 2012. Likewise, and as discussed further in Chapter 4 below, during the SEA process for Phase 1 the VA requested input from these same agencies during a 30-day public comment period beginning March 17, 2014. No local government agencies provided comment. One Federal and one State agency provided comment that indicated no opposition to the Proposed Action. During a public hearing for the Proposed Action held on March 27, 2014, no member of the general public expressed opposition to the Proposed Action.

Consistent with public notice efforts associated with the PEA and Phase 1 SEA, the VA requested input from relevant agencies during a 30-day public comment period beginning 17 April 2020. All local, state, and/or federal agency comments and correspondence are included in Appendix C. No public controversy regarding construction and operation of Phase 2 of the National Cemetery were provided. The Draft SEA for Phase 2 was published for a 30-day public comment period beginning 17 April 2020, and no member of the general public expressed opposition to the Proposed Action.

4. PUBLIC INVOLVEMENT

This chapter describes the public, agency, and Native American consultation process associated with development of the CCNC Phase 2 SEA.

4.1 Public and Agency Involvement

VA invites public participation in decision-making on new proposals through the NEPA process. Public participation with respect to decision-making on the Proposed Action is guided by 38 CFR Part 26, VA's policy for implementing the NEPA. Additional guidance is provided in VA's NEPA Interim Guidance for Projects (VA 2010). Consideration of the views and information of all interested persons promotes open communication and enables better decision-making. Agencies, organizations, and members of the public with a potential interest in the Proposed Action, such as minority, low-income, and disadvantaged persons, are urged to participate. A record of public involvement and agency coordination associated with this SEA is provided in Appendix A and B in this Final SEA.

4.1.1 Public Scoping Process

During the PEA process, VA held a public scoping meeting to discuss and receive input concerning the Proposed Action; details of the PEA public scoping meeting are provided in the Final PEA (VA 2012a). As no controversy or resistance to the PEA was noted during the initial public scoping meeting, a Phase 2 public meeting is not warranted. The PEA public meeting covered the entirety of the proposed action, including Phase 2. The specifics of Phase 2 are consistent with the overall PEA, and therefore, no additional meeting has been deemed necessary. The project was subject to public comment via the required public review process where the draft SEA was available via the VA website, and at the cemetery administration building. No comments from the general public were received.

4.1.2 Agency Coordination

Interagency and Intergovernmental Coordination for Environmental Planning (IICEP) is a federally mandated process for informing and coordinating with other governmental agencies regarding Federal Proposed Actions. CEQ Regulations require intergovernmental notifications prior to making any detailed statement of environmental effects. Through the IICEP process, VA notifies relevant Federal, State, and local agencies and allows them sufficient time to make known their environmental concerns specific to a Proposed Action. Comments and concerns submitted by these agencies during the IICEP process are subsequently incorporated into the analysis of potential environmental effects conducted as part of the PEA and SEA processes. This coordination fulfills requirements under EO 12372 (superseded by EO 12416, and subsequently supplemented by EO 13132), which requires Federal agencies to cooperate with and consider State and local views in implementing a Federal proposal. It also constitutes the IICEP process for this document.

VA consulted with the following agencies during the preparation of the Final PEA, and during this SEA via a written request for comment on the Draft SEA mailed on 27 February 2020 (a copy of the written request for comment during the SEA process is provided in Appendix B of this SEA):

- The US Fish and Wildlife Service (USFWS) Southeast Region;
- US Environmental Protection Agency (USEPA) Region IV;
- US Army Corps of Engineers (USACE) Jacksonville District;
- Florida Fish and Wildlife Conservation Commission (FFWCC);
- Florida Department of Environmental Protection (FDEP) (Office of the Ombudsman and Public Service and Coastal Management Program);
- Florida Department of Transportation (FDOT);
- Florida Natural Areas Inventory (FNAI);
- St. Johns River Water Management District (SJRWMD);
- Florida Division of Historical Resources (State Historic Preservation Office, or SHPO);
- Brevard County Fire Rescue (BCFR);
- Brevard County Planning and Development Department (BCPDD);
- Brevard County Natural Resources Department (BCNRD);
- Brevard County Public Works Department (BCPW);
- Brevard County Economic Development Department (BCED);
- North Brevard Economic Development Zone (NBEDZ);
- Economic Development Commission of Florida's Space Coast (EDCFSC); and
- Florida State Clearinghouse (SCH).

VA received comments or responses from the following agencies: BCPW, BCFR, Florida SHPO, FDOT, ACOE, FWC, FNAI, NBEDZ, EDCFSC, and Florida SCH. Input provided by these agencies is addressed in the appropriate resource sub-sections of Section 3. Written correspondence from the agencies is provided in Appendix A. The following summarizes that input, which VA used to focus this EA's analysis:

- **BCPW** advised that the VA was not exempt from Right of Way (ROW) permitting for any stormwater discharge in to the county ROW, or the addition of any driveway connections to the existing ROW. Appropriate permitting with the stormwater discharge into the county ROW has been submitted and is in the review process.
- **BCFR** stated that BCFR/Dispatch searched their databases and found no responsive records with regards to responding to any HazMat incidents, which concluded BCFR's response to the letter.
- **Florida SHPO** stated that the Florida SHPO reviewed the project area for possible effects on historic properties listed, or eligible for listing, in the National Register of Historic Places (NRHP) in accordance with Section 106 and 36 CFR Part 800 regulations and concluded that the proposed project will have no effect on historic properties listed, or eligible for listing, in the National Register of Historic Places.

- **FDOT** notified the VA that the initial notification letter was addressed to a former secretary, and that the current secretary is Kevin Thibault. The letter was revised and re-sent with the correct point of contact.
- **ACOE** notified the VA that the notification letter was received and would be forwarded to the appropriate point of contact within the agency for further review. See section 2.1.1 for further clearance information. There are no Federally-designated wetlands or 100-year floodplains in the Phase 2 area (USACE JD 2010 [SAJ-2010-02735 NPR, re-issued 27 January 2020]).
- **FWC** notified the VA that this project was previously reviewed as part of the Environmental Resource Permit submitted to the St. Johns River Water Management District in July of 2019, and FWC requested the VA send a copy of the projects footprint to verify the boundary was the same as the previous review.
- **FNAI** notified the VA confirming the receipt of the notification letter. FNAI had no further comments or concerns regarding the CCNC expansion.
- **NBEDZ** notified the VA that the NBEDZ will review the notification letter and provide any comments to the VA. NBEDZ also provided the VA with additional POC information for EDCFSC and BCED for subsequent notification. No further comments were generated.
- **EDCFSC** notified the VA that the notification letter was forwarded to the POC addressed and additionally provided the VA with the correct address information for Frank Abbate, County Manager at the BCED.
- **Florida SCH** notified the VA that there were no objections to the subject project and, therefore, the funding award is consistent with the Florida Coastal Management Program (FCMP). In addition, FL SCH stated that concurrence with the project's consistency with the FCMP would be determined during any environmental permitting processes, in accordance with Section 373.428, Florida Statutes, if applicable.

4.1.3 Public Review

VA, as the Federal proponent of this Proposed Action, has published and distributed the Draft SEA for a 30-day public comment period beginning 17 April 2020; a copy of the Notice of Availability (NOA) is provided in Appendix A of this Final SEA. Printed copies were available for public review at the Cape Canaveral National Cemetery Administration Building, and a copy is available for download electronically at the VA website <http://www.cem.va.gov/cem/EA.asp>. As of close of the public comment period, no member of the general public expressed opposition to the Proposed Action.

4.2 Native American Consultation

For Federal proposed actions, Federal agencies are required to consult with federally recognized Native American Tribes in accordance with the NEPA, the NHPA, the Native American Graves Protection and Repatriation Act (NAGPRA), and EO 13175. As part of the Final PEA (VA, 2012), VA identified six Native American Tribes as having possible ancestral ties to the Proposed Action's ROI (i.e., Brevard County, Florida), and invited each Native American Tribe to consult on this Proposed Action. VA identified these Tribes based on the Native American Consultation Database and the Florida SHPO. VA conducted all Native American Tribe correspondence by certified letters. During preparation of the PEA, the Seminole Tribe of Florida responded to VA's invitation to consult and requested that a Cultural Resources Assessment be conducted on the Site (VA 2012a). VA conducted this survey in April 2012 (Atkins 2012). As of the date of the Final PEA (July 17, 2012), VA did not receive any correspondence from the Seminole Tribe regarding the Cultural Resources Assessment (Atkins 2012).

During the SEA process, VA sent certified letters on 27 February 2020, and on 17 April 2020 inviting these six Native American Tribes to consult on the Draft SEA; a copy of the letter is provided in Appendix B of this Final SEA.

VA received responses only from the Muscogee (Creek) Nation which stated that the Muscogee (Creek) Nation has no objections to the proposed project and concurred to the VA's request and findings of no historic or traditional cultural properties affected. The Muscogee (Creek) Nation requested to be notified with any additional updates, or if any human remains or cultural materials are encountered during ground disturbance.

No comments were received by any of the five additional Native American Tribes that were consulted within the allotted comment period.

5. MANAGEMENT AND MITIGATION MEASURES

This Chapter summarizes the management measures identified in Chapter 3 that are proposed to minimize and maintain adverse effects of the Proposed Action at acceptable, minor levels. Anticipated avoidance and management measures for the Proposed Action, based on the analysis in this SEA, are presented below and are summarized in Table 2. “Management measures” are defined as routine BMPs and/or regulatory compliance measures that are regularly implemented as part of proposed activities, as appropriate, across Florida. Per established protocols, procedures, and requirements, VA (and VA’s design and construction contractors) would implement BMPs and would satisfy all applicable regulatory requirements in association with the design, construction, and operation of the Proposed Action.

In general, implementation of management measures, as identified in Table 2, would maintain effects at acceptable less-than-significant levels for all technical resource areas analyzed. These are different from “mitigation measures,” which are defined as project-specific requirements, not routinely implemented as part of development projects, necessary to reduce identified potentially significant adverse environmental effects to less-than-significant levels.

Table 2 provides a summary of BMPs/Environmental Protection Measures included in the Proposed Action to ensure adverse, minor less-than-significant effects are controlled and/or further reduced. These measures are based on the analysis in the Final PEA (VA 2012a) and the site-specific SEA analysis of the final CD2 design and information that became available after the Final PEA was completed.

Table 3. Best Management Practices/Environmental Protection Measures Incorporated into the Proposed Action

Technical Resource Area	Best Management Practice/Environmental Protection Measure
Aesthetics	Incorporate existing large trees into the cemetery design wherever possible.
	Maintain and add trees to the existing tree-lined Site perimeter to obstruct views of construction.
	Create and routinely maintain landscaped areas, buildings, roadways, and signage.
	Implement the construction-related BMPs for dust control described for Air Quality.
Air Quality	Use appropriate dust suppression methods during on-Site construction activities. Available methods include application of water, dust palliative, or soil stabilizers; use of enclosures, covers, silt fences, or wheel washers; and suspension of earth-moving activities during high wind conditions.
	Maintain an appropriate speed to minimize dust generated by vehicles and equipment on unpaved surfaces.
	Cover haul trucks with tarps.
	Stabilize previously disturbed areas through re-vegetation or mulching if the area would be inactive for several weeks or longer.
	Visually monitor all construction activities regularly, particularly during extended periods of dry weather, and implement dust control measures when appropriate.

Cultural Resources	Should human remains or other cultural items as defined by NAGPRA be discovered during project construction, the construction contractor would immediately cease work until VA, a qualified archaeologist, and the SHPO and Native American Tribes are contacted to properly identify and appropriately treat discovered items in accordance with applicable State and Federal law(s).
Geology, Topography, and Soils	Create and maintain a tree-lined border to minimize visual impacts of topographical changes.
	Design paved areas to drain to the stormwater management system to reduce soil erosion.
	Use results from detailed geotechnical analysis at the Site to locate stormwater management systems in on-Site sand areas with adequate recovery.
	Install and monitor erosion-prevention measures (BMPs), such as silt fences and water breaks, detention basins, filter fences, sediment berms, interceptor ditches, straw bales, rip-rap, and/or other sediment control structures; re-spread stockpiled topsoil; and seed/re-vegetate areas temporarily cleared of vegetation.
	Retain on-Site vegetation to the maximum extent possible.
	Plant and maintain soil-stabilizing vegetation on disturbed areas.
	Use native vegetation to re-vegetate disturbed soils.
	The construction contractor would obtain all required permits before any proposed construction activities commence and would adhere to permit conditions during all on-Site construction activities.
	Maintain areas of the Site for agricultural use (via lease) until those areas are needed for development of each future phase of the final MP5 design.
Water Resources (Surface Waters and Wetlands; Floodplains; Groundwater; Coastal Zone Management)	Avoid development within on-Site wetlands/Waters of the US.
	Adequately addresses permit(s) from, the USACE, State agencies (SJRWMD and FDEP), and attempt to address local agencies (Brevard County), to minimize adverse effects to wetlands/Waters of the US prior to construction.
	Develop a site design that avoids on-Site and adjacent wetlands, surface waters and floodplains to the maximum extent possible.
	Maintain a buffer of undisturbed land around wetlands/Waters of the US.
	Develop a site design that accounts for pre/post 100-year volume stormwater drainage.
	Implement pre/post 100-year volume stormwater retention.
	Implement Stormwater Management Facilities (SWMFs) and other related stormwater management infrastructure for the Site.
	Address the potential for sinkhole formation and the potential for direct discharge to the aquifer (i.e., groundwater table).
	Develop a site design that avoids interaction and prevents surface water run-off to the on-Site and adjacent surface waters.

	Inspect and maintain construction vehicles in good working order and maintain a spill kit.
	Raise the elevation (using excess on-Site soils) of select burial areas to avoid contact with the high groundwater table.
Wildlife and Habitat	Construction should be timed to avoid nesting periods of migratory birds on the Site and protected under the MBTA. This Act prohibits the taking of migratory birds, their nests, and eggs. Thus, it is recommended that tree removal at the Site be conducted outside the migratory bird nesting seasons of December through July so that nests are not disturbed. If it is not practical to clear the Site outside of this time frame, a qualified biologist should survey the Site prior to tree and brush clearing to ensure that no active nests are disturbed.
	Native species would be used to the extent practicable when re-vegetating land disturbed by construction to avoid the potential introduction of non-native or invasive species.
	A sensitive design approach has been implemented to allow for the avoidance of wetlands/Water of the US (see Section 3.4).
	Continue to consult with the USFWS to minimize adverse effects to protected wildlife resources prior to and during construction.
Noise	Coordinate proposed construction activities in advance with adjacent sensitive receptors (residents). Let the local residents know what operations would be occurring at what times, including when operations would start and when they would finish each day. Post signage, updated daily, at the entry points of the site provide current construction information, including schedule and activity.
	Limit, to the extent possible, construction and associated heavy truck traffic to occur between 7:00 a.m. and 10:00 p.m. during normal, weekday work hours. This measure would reduce noise effects during sensitive nighttime hours.
	Locate stationary equipment as far away from sensitive receptors as possible.
	Select material transportation routes as far away from sensitive receptors as possible.
	Shut down noise-generating heavy equipment when it is not needed.
	Encourage construction personnel to operate equipment in the quietest manner practicable (e.g., speed restrictions, retarder brake restrictions, engine speed restrictions, etc.).
	Limit M-16 rifle salute noise impacts from ceremonial rifle salutes by conducting salutes during daytime hours between 7:00 AM and 4:00 PM.
	Limit the number of salutes to 3-5 rifles during an individual committal ceremony.
	Maintain the tree-lined Site perimeter to further reduce noise impacts beyond the Site.

Solid and Hazardous Materials	Comply with existing VA Standard Operating Procedures (SOPs) and applicable Federal and State laws governing the use, generation, storage, or transportation of solid or hazardous materials.
	If hazardous substances are released to the Site during construction or operation, these applicable Federal and State requirements must be followed in response and cleanup.
	Avoid or limit the use of hazardous materials, including building material products, during construction and operation of the National Cemetery. If hazardous materials are required during construction and/or operation of the National Cemetery, store in locations designated for hazardous materials (locked and labeled metal cabinets).
Transportation and Parking	Use results presented in the Traffic Impact Analysis for the Proposed Action to identify transportation conditions and recommended improvements.
	Coordinate with the Florida Department of Transportation (FDOT) to ensure that construction and operational traffic are considered in the planning of future transportation improvements in this vicinity.
	Coordinate with FDOT to identify and implement roadway improvements, as necessary, such as turn lanes and signals.
	Ensure debris and/or soil is not deposited on local roadways during the construction period.
	Ensure construction activities do not adversely affect traffic flow on local roadways; construction would be timed to avoid peak travel hours.
Utilities	Submit design plans to each utility provider to determine specific connection requirements and implement the necessary connection requirements.

5.1 Management Measures

With implementation of the routine “management measures” described in Table 2, the Preferred Action Alternative would not result in significant adverse effects to, and would reduce any identified potential adverse effects to, the current environment.

5.2 Mitigation Measures

Since the Proposed Action does not present any significant adverse effects on the technical resource areas evaluated, specific mitigation measures were not required. Several BMPs have been recommended for specific resource areas to assist in maintaining possible effects of the Proposed Action to no effect or minor less-than-significant effects. These BMPs are identified in detail in Chapter 3 and in Table 2.

6. CONCLUSIONS

This SEA analyzed the potential environmental effects of VA's Proposed Action to construct and operate Phase 2 of the National Cemetery in Mims, Brevard County, Florida. As described in Section 1.2, this SEA has been derived from a Final PEA prepared by VA on July 17, 2012 (VA 2012a).

This SEA evaluated two alternatives: (1) Preferred Action Alternative – implement VA's proposed Phase 2 design, and 2) the No Action Alternative - do not develop Phase 2 of National Cemetery at this site.

This SEA evaluated possible effects to aesthetics; air quality; cultural resources; geology, topography and soils; water resources (surface water, wetlands, groundwater, floodplains, and coastal zone management); wildlife and habitat; noise; land use; socioeconomics; community services; solid and hazardous materials; transportation and parking; utilities; and environmental justice.

The SEA concludes there would be no significant adverse direct, indirect, or cumulative effect on the local environment or quality of life associated with implementing the Preferred Action, provided the management measures (BMPs) identified in Table 2 and discussed in Chapter 3 are implemented. Therefore, this SEA concludes that a FONSI is appropriate and that an EIS is not required.

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- Nodarse 2013. Geotechnical Engineering Report, Central East Florida National Cemetery, Phase 1 Design Development, Brevard County, Florida. February 21, 2013.
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2008. NCA Report. 2008.

VA 2010. VA NEPA Interim Guidance for Projects. September 30, 2010.

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VA 2012b. VA Master Plan 1 for the Central East Florida National Cemetery. 2012.

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Weaver Boos 2011. Phase I Environmental Site Assessment (ESA), Approximately 318 Acres Along U.S. Highway 1, Between Pearl Street and Johns Road, Scottsmeer, Brevard County, Florida. July 2011.

9. LIST OF ACRONYMS AND ABBREVIATIONS

ACHP	Advisory Council on Historic Preservation	FFWCC	Florida Fish and Wildlife Conservation Commission
ADA	Americans with Disabilities Act of 1990	FIRM	Flood Insurance Rate Map
Amsl	above mean sea level	FLP	Florida Light and Power
APE	Area of Potential Effect	FLUCFCS	Florida Land Use, Cover and Forms Classification System
ATV	All-Terrain Vehicle	FNAI	Florida Natural Areas Inventory
BCED	Brevard County Economic Development Department	FONSI	Finding of No Significant Impact
BCFR	Brevard County Fire Rescue	FPPA	Farmland Protection Policy Act
BCHD	Brevard County Health Department	FS	Feasibility Study
BCNRD	Brevard County Natural Resource Department	FWC	Florida Wildlife Commission
BCPA	Brevard County Planning and Development Department	GIS	Geographic Information System
BCPDD	Brevard County Planning and Development Department	GPD	Gallons per Day
BCPR	Brevard County Parks and Recreation	GPY	Gallons per Year
BCPW	Brevard County Public Works	IICEP	Interagency and Intergovernmental Coordination for Environmental Planning
BCU	Brevard County Utilities	IRLB	Indian River Lagoon Blueway
BMP	Best Management Practice	LOS	Level of Service
CEQ	Council on Environmental Quality	MBTA	Migratory Bird Treaty Act
CFR	Code of Federal Regulations	MINWR	Merritt Island National Wildlife Refuge
CMP	Coastal Management Program	NAAQS	National Ambient Air Quality Standards
CWA	Clean Water Act	NAGPRA	Native American Graves Protection and Repatriation Act
CZMA	Coastal Zone Management Act	NBEDZ	North Brevard Economic Development Zone
EA	Environmental Assessment	NCA	National Cemetery Administration
EDB	Ethylene dibromide	NEPA	National Environmental Policy Act of 1969
EDCFSC	Economic Development Commission of Florida's Space Coast	NHPA	National Historic Preservation Act
EIS	Environmental Impact Statement	NOA	Notice of Availability
EO	Executive Order	NOAA	National Oceanic and Atmospheric Association
ERP	Environmental Resource Permit	NPDES	National Pollution Discharge Elimination System
ESA	Endangered Species Act	NRCS	Natural Resources Conservation Service
ESI	Environmental Services, Inc. a Terracon Company	NRHP	National Register of Historic Places
FCGC	Florida City Gas Company	NWI	National Wetland Inventory
FDEP	Florida Department of Environmental Protection	OSHA	Occupation Safety and Health Administration
FDEPCZM	Florida Department of Environmental Protection Coastal Zone Management	Pb	Lead
FDOT	Florida Department of Transportation	PBF	Public Buildings and Facilities
FEMA	Federal Emergency Management Agency	PEA	Programmatic Environmental Assessment

Ppm	parts per million	SWMF	Stormwater Management Facility
RCRA Act	Resource Conservation and Recovery Act	SOPs	Standard Operating Procedures
REC	Recognized Environmental Condition	SOW	Scope of Work
RFP	Request for Proposal	SWPPP	Stormwater Pollution Prevention Plan
ROI	Region of Influence	TIA	Traffic Impact Analysis
SCH	Florida State Clearinghouse	USACE	United States Army Corps of Engineers
SEA	Site Specific Environmental Assessment	USC	United States Code
SFHA	Special Flood Hazard Area	USEPA	United States Environmental Protection Agency
SHPO	Florida Department of Historical Resources (State Historic Preservation Office)	USFWS	United States Fish and Wildlife Service
SJRWMD	St. Johns River Water Management District	USGS	United States Geological Survey
		VA	Department of Veterans Affairs

10. AGENCIES AND INDIVIDUALS CONSULTED

Native American Tribes

Coushatta Tribe of Louisiana

Linda Langley, THPO
PO Box 10
Elton, Louisiana 70532

Misccosukee Tribe of Indians

Fred Dayhoff, THPO
HC61SR68 Old Loop Road
Ochopee, Florida 34141

Muscogee Nation of Florida

RaeLynn Butler, THPO
278 Church Road
Bruce, Florida 32455-4402

Poarch Band of Creek Indians of Alabama

Robert Thrower, THPO
5811 Jack Springs Road
Atmore, Alabama 36502

Ponca Tribe of Nebraska

Randy Teboe, THPO
100 Bluff Street
Winnebago, Nebraska 68071

Seminole Tribe of Florida

William Steele, Compliance Officer
6300 Stirling Road
Hollywood, Florida 33024

Federal Agencies

U.S. Army Corps of Engineers – Jacksonville

John Campbell
Public Affairs Office
701 San Marco Boulevard
Jacksonville, Florida 32207

U.S. Army Corps of Engineers – Cocoa

John Palmer
Regulatory Field Office
400 High Point Drive, Suite 600
Cocoa, Florida 32926

U.S. Environmental Protection Agency, Region 4

Brandi Jenkins
Office of Public Affairs
Sam Nunn Atlanta Federal Center
61 Forsyth Street SW
Atlanta, Georgia 30303

U.S. Fish and Wildlife Service – Southeast Region

Leopoldo Miranda
Office of External Affairs
1875 Century Boulevard
Atlanta, Georgia 30345

State Agencies

Florida Department of Environmental Protection

John Calhoun, Director
Office of the Ombudsman and Public Services
Attention: Public Records Custodian
3900 Commonwealth Boulevard, MS 49
Tallahassee, Florida 32399

Florida Department of Environmental Protection

Alex Reed
Coastal Management Program
3900 Commonwealth Boulevard, MS 47
Tallahassee, Florida 32399

Florida Division of Historical Resources

Timothy Parsons, PhD
State Historic Preservation Office
500 S. Bronough Street
Tallahassee, Florida 32399

Florida Department of Transportation

Kevin Thibault
Secretary of Transportation
605 Suwannee Street
Tallahassee, Florida 32399

Florida Wildlife Commission

Melody Kilborn
Office of Public Affairs
3900 Drane Field Road
Lakeland, Florida 33811

Florida Natural Areas Inventory

Dan Hipes, Director
1018 Thomasville Road, Suite 200-C
Tallahassee, Florida 32303

Florida Fish and Wildlife Conservation Commission

Susan Neel, Director
620 S. Meridian Street, MS 5B5
Tallahassee, Florida 32399

Florida Fish and Wildlife Conservation Commission

Thomas Reinert, PhD, Regional Director
Species Conservation Planning Section
8535 Northlake Boulevard
West Palm Beach, Florida 33412

Florida State Clearinghouse

Chris Stahl, Coordinator
Florida Department of Environmental Protection
3800 Commonwealth Blvd., M.S. 47
Tallahassee, FL 32399

St. Johns River Water Management District

Erich Marzolf, Division Director
P.O. Box 1429
Palatka, Florida 32178

St. Johns River Water Management District

Jeff Prather, Division Director
Palm Bay Service Center
525 Community College Parkway SE
Palm Bay, Florida 32909

County Agencies

Brevard County Division of Parks and Recreation

Mary Ellen Donner, Director
2725 Judge Fran Jamieson Way, B203
Viera, Florida 32940

Brevard County Economic Development Commission

Frank Abbate, County Manager
597 Haverty Court, Suite 40
Rockledge, Florida 32955

Brevard County Fire Rescue Department

Mark Schollmeyer, Fire Chief
1040 S. Florida Avenue
Rockledge, Florida 32955

Brevard County Health Department

Maria Stahl, DNP, RN
2575 N. Courtenay Parkway
Merritt Island, Florida 32953

Brevard County Natural Resources Management Office

Virginia Barker, Director
2725 Judge Fran Jamieson Way, Building A
Viera, Florida 32940

Brevard County Property Appraiser

Dana Blickley
400 South Street, 5th Floor
Titusville, Florida 32780

Brevard County Planning & Development Department

Martha Deneher
2725 Judge Fran Jamieson Way, Building A
Viera, Florida 32940

Brevard County Public Works Department

Corrina Gumm
2725 Judge Fran Jamieson Way, Building A
Viera, Florida 32940

North Brevard Economic Development Zone

Troy Post, Executive Director
400 South Street
Titusville, Florida 32780

Economic Development Commission of Florida's Space Coast

Lynda Weatherman, President/CEO
6525 3rd Street, Suite 304
Rockledge, Florida 32955

Appendix A:
Notice of Availability

NOTICE OF AVAILABILITY
ENVIRONMENTAL ASSESSMENT
U.S. DEPARTMENT OF VETERANS AFFAIRS

The Department of Veterans Affairs (VA) announces the availability of the Final Site-Specific Environmental Assessment (Final SEA) and Finding of No Significant Impact (FONSI) for the proposed construction and operation of Phase 2 of the Cape Canaveral National Cemetery located at 5525 US-1, Mims, Florida 32754. Phase 2 development of the Cape Canaveral National Cemetery will expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

The Draft and Final SEA were prepared in accordance with the National Environmental Policy Act (NEPA) to determine the potential environmental, cultural, and socioeconomic impacts associated with the completion of Phase 2 of the Cape Canaveral National Cemetery.

Upon review of the Final SEA, VA concludes that the project will have no significant impact on the human environment. Accordingly, VA has finalized a Finding of No Significant Impact (FONSI), which incorporates the Final SEA and concludes that the preparation of an Environmental Impact Statement is not required. The FONSI completes the NEPA review process for this Proposed Action. The Final SEA and FONSI are available for review electronically at <http://www.cem.va.gov/cem/EA.asp> and in print at the Cemetery Administration Building at Cape Canaveral National Cemetery in Mims, Florida. Due to the various current closures and shelter in place orders throughout Florida associated with Covid-19, the VA encourages the review of the electronic copy of the SEA located on the VA website.

For additional information, contact: Fernando Fernandez at Fernando.Fernandez@va.gov (preferred) or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,
FERNANDO L.
FERNANDEZ
336237

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Fernando L. Fernández
Environmental Engineer
U.S. Department of Veterans Affairs
Construction and Facilities Management Office

Appendix B:
Finding of No Significant Impact (FONSI)

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

DEPARTMENT OF VETERANS AFFAIRS PROPOSED CONSTRUCTION AND OPERATION OF PHASE 2 OF THE CAPE CANAVERAL NATIONAL CEMETERY SCOTTSMOOR, BREVARD COUNTY, FLORIDA

Introduction

The U.S. Department of Veterans Affairs (VA) prepared a Site-specific Environmental Assessment (SEA) of the potential environmental, cultural, and socioeconomic effects impacts that may result from proposed construction and operation of Phase 2 of the Cape Canaveral National Cemetery (CCNC) in Scottsmeer, Brevard County, Florida. The SEA was prepared in accordance with the National Environmental Policy Act of 1969 ([NEPA]; 42 United States Code [USC] 4321 et seq.), the President's Council on Environmental Quality (CEQ) Regulations Implementing the Procedural Provisions of NEPA (40 Code of Federal Regulations [CFR] Parts 1500-1508), and VA's NEPA implementing regulations, 38 CFR Part 26 (Environmental Effects of the Department of Veterans Affairs Actions). The SEA was also derived from, and incorporated by reference, the findings of the Final Programmatic Environmental Assessment (PEA) for potential physical, environmental, cultural, and socioeconomic effects associated with the VA's selection and acquisition of a site suitable for the future proposed construction and operation a new National Cemetery in central east Florida, dated July 17, 2012, and the findings of the SEA associated with the construction and operation of Phase 1 of CCNC dated 9 May 2014.

The purpose of the Proposed Action is to construct and operate Phase 2 of CCNC to continue to serve the burial needs of Veterans in the central east Florida region. The Proposed Action is needed to address a current unserved Veteran population of at least 80,000 in the region.

Background

The National Cemetery Administration (NCA) is responsible for providing cemetery services for veterans and other eligible persons pursuant to the provisions of the National Cemeteries Act of 1973 and other statutory authority and regulations. Under this mandate, NCA is responsible for the operation and maintenance of existing national cemeteries and the construction of new national cemeteries.

Based on the findings of the preceding PEA, the VA selected and acquired the Scottsmeer, Florida property on July 31, 2012, with the knowledge that a SEA would be prepared to analyze potential site- specific impacts based on the final Master Plan design and each phase for the Proposed Action.

Based on the final Master Plan design, the proposed Cape Canaveral National Cemetery is of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years. The proposed National Cemetery would help VA comply with the aforementioned Service Members Civil Relief Act, also known as the Veteran's Benefit Act of 2010, Public Law 111-275, Section 503, Reports on Selection of New National Cemeteries (38 United States Code [USC] 2400).

The proposed development of Phase 2 of the National Cemetery would continue to increase access to burial options to the currently unserved Veteran population living in central east Florida; in 2010 NCA estimated over approximately 163,000 Veterans live within 75 miles of the Site. Additionally, no other National Cemeteries are within 100 miles of Scottsmeer, Florida (VA Office of Policy and Planning [OPP] 2008). Accordingly, the Proposed Action would continue to balance the currently unequal geographic distribution of National Cemeteries in the region.

1. Description of Proposed Action and Alternatives

Proposed Action

VA's Proposed Action is to construct and operate Phase 2 of Cape Canaveral National Cemetery, in accordance with VA's NCA Facilities Design Guide, on an approximately 52-acre tract within the overall 318-acre Cape Canaveral National Cemetery site in Scottsmeer, an unincorporated community located in Brevard County, Florida. The Proposed Action is based on the final CD-2 design package for Phase 2 developed by the VA. The final Master Plan design develops the proposed Cape Canaveral National Cemetery in seven (7) or more phases; the initial phase (Phase 1) is constructed on approximately 108 acres on the western portion of the Site (west of Dixie Way) and include the construction of the cemetery roads, entrance, Administration/Public Information Center (PIC), Maintenance Building, and committal shelters. Phase 2 would provide 32,320 gravesites including approximately 12,320 columbarium niches, 7,700 full-casket and 12,300 cremains gravesites; a 4.75-acre retention pond with an aerated fountain; interior roads; and associated utilities and infrastructure. Other infrastructure to support the burial expansion includes landscaped areas, signage, irrigation, the connecting roads, parallel parking at the columbarium plazas and a roundabout at the Warrior Avenue/maintenance area drive intersection.

The VA will continue to prepare separate NEPA analyses for each subsequent phase in the final Master Plan design for the proposed Cape Canaveral National Cemetery.

Alternatives Considered

In addition to the Proposed Action described above, VA evaluated a No Action Alternative as part of the SEA. Under the No Action Alternative, the Proposed Action would not be implemented. At least 80,000 Veterans and their families residing in central east Florida would continue to be underserved and be required to travel more than 75 miles to reach a National Cemetery. The

availability of use within the National Cemeteries in the region would continue to be unequal, and VA would not be in compliance with the requirements of the Service Members Civil Relief Act.

While the No Action Alternative would not satisfy the purpose of or need for the Proposed Action, this alternative was retained to provide a comparative baseline against which to analyze the effects of the Proposed Action, as required under the CEQ Regulations (40 CFR Part 1502.14). The No Action Alternative reflects the status quo and served as a benchmark against which the effects of the Proposed Action were evaluated.

The SEA examined in-depth two alternatives, the Preferred Action Alternative and the No Action Alternative, defined as follows:

- **Preferred Action Alternative:** Implement the Proposed Action by constructing and operating Phase 2 of the Cape Canaveral National Cemetery based on the CD-2 plans prepared by the VA.
- **No Action Alternative:** Do not implement the Proposed Action as identified, and continue the unequal distribution of National Cemeteries in the region, requiring at least 80,000 Veterans and their families in central east Florida to travel more than 75 miles to reach a National Cemetery. Additionally, VA would not be in compliance with the requirements of the Service Members Civil Relief Act. For these reasons, the No Action Alternative is not preferable.

2. Potential Environmental Effects

As documented in the SEA, VA concludes no significant adverse impacts, either individually or cumulatively, would result from implementing the Proposed Action. The Proposed Action would have no or negligible adverse impacts on geology, coastal zone management, cultural resources, land use, utilities, socioeconomics, community services, parking, and environmental justice. During construction and operation of the Proposed Action, less-than-significant minor adverse impacts would occur to aesthetics, air quality, topography and soils, water resources (surface water, wetlands, floodplains, groundwater), wildlife and habitat, noise, solid and hazardous wastes, and transportation. VA will implement the management, avoidance, and regulatory compliance measures to maintain these impacts at less-than-significant levels as described in the SEA and incorporated in this FONSI as Appendix A. The Proposed Action would have less-than-significant beneficial long-term impacts on aesthetics (expansion of a National Shrine), land use (preservation of open space), and socioeconomics (increased local employment and indirect long-term economic benefit).

The potential environmental effects associated with implementing the Proposed Action are summarized in the following sections. The Best Management Practices (BMPs) that reduce, eliminate, or avoid these potential effects, are provided in the SEA.

Aesthetics. Less than significant effects on aesthetics would occur during construction and operation of the Proposed Action. Construction activities including excavation, grading, and

vehicle travel on paved and unpaved surfaces could generate fugitive dust emissions that can lead to nuisance concerns, such as reduced visibility on nearby roadways. During construction, fugitive dust emissions would be controlled and limited by implementing the BMPs for dust control and construction operations. Additionally, soils exposed during construction would be reseeded or replanted once grading activities are completed.

Following construction and during operation of Phase 2 of the National Cemetery, there would be long-term, beneficial aesthetic effects. The Preferred Action Alternative would change the aesthetic quality of the Site by beautification from unmanaged lands to a permanent National Shrine improved with park-like landscaping, a tree-lined and fenced perimeter, water features, and grounds under continuous maintenance.

Air Quality. Less than significant effects on air quality would occur during construction and operation of the Proposed Action. The Site is in a full attainment area for criteria pollutants. During construction of the Proposed Action, dust emissions could occur, but would be controlled with implementation of identified BMPs (e.g. road wetting, tarp-covered hauling trucks). Regraded areas and excess stockpiled soil (from regrading and pond construction) would be covered, seeded with native grass, and maintained to prevent fugitive dust. During operation of the Proposed Action, traffic in the region would increase; however, the Proposed Action would result in less vehicle emissions in the ROI because Veterans and their families would no longer be required to travel greater distances to other National Cemeteries in Florida. No long term significant adverse air quality impacts are anticipated.

Cultural Resources. Based on consultation with the Florida State Historic Preservation Office (SHPO), federally-recognized Native American Tribes, and the results of a Phase I Cultural Resources Survey (Atkins 2012), no adverse effects to archeological resources or historic structures eligible for or listed on the National Register of Historic Places (NRHP) would occur within the Proposed Action's Area of Potential Effect (APE). Any potential effects that may occur during construction would be reduced or avoided by implementing the identified BMP (e.g. halting work and contacting the SHPO and/or Native American Tribes if any artifacts are encountered).

Geology, Topography and Soils. Less than significant effects on topography and soils would occur during construction and operation of the Proposed Action, while no effect on geology would occur. During construction of the Proposed Action, less than significant short-term adverse effects to topography and soils are possible due to soil erosion and sedimentation impacts while the proposed improvements are constructed. Construction and grading activities would remove selected vegetative cover, disturb the soil surface, and compact the soil, leaving it susceptible to erosion by wind and surface runoff. However, these potential effects will be prevented through the utilization of construction related BMPs and maintaining the generally flat topography after grading. After the completion of construction activities, vegetative cover would be re-applied and designed to blend with the existing landscape, therefore no significant long-term adverse topography or soils effects would be anticipated. Additionally, no karst conditions were found during two geotechnical investigations at the Site in 2011 and 2013, nor the most recent

geotechnical investigation specific to Phase 2. Karst conditions are relatively uncommon and minimal in the area surrounding the Site.

Water Resources (Surface Waters and Wetlands; Floodplains; Groundwater; Coastal Zone Management). Less than significant effects on water resources would occur during construction and operation of the Proposed Action. A previous delineation of wetlands at the Site indicated there are no wetlands or 100-year floodplains in the Phase 2 area. A 2019 review found conditions have not changed, and an Approved Jurisdictional Determination from the U.S. Army Corps of Engineers has been issued confirming no Waters of the U.S. located within the boundaries of Phase 2. Although wetlands and 100-year floodplains are present in other areas of the Site, environmentally sensitive site design of future MP5 phases in concert with good engineering practices and consultation with authorized Federal, State, and local agencies will work to minimize impacts to wetlands and 100-year floodplains, thereby eliminating potential adverse effects on these areas. During construction, identified BMPs such as preventing soil erosion and sedimentation using hay bales and silt fence will further minimize effects on surface water quality. Potential short-term effects on groundwater quality from releases of construction vehicle operating fluids would be minimized by maintaining spill kits. Groundwater quality would not be affected by normal operation of the cemetery. Modern burial practices using biodegradable embalming fluids and placement of internments above the seasonal high-water table will minimize any groundwater effects. Water quality effects from impervious area stormwater run-off will be minimized by capturing and storing stormwater in retention ponds designed to accommodate post-development stormwater volume; the retained stormwater will be repurposed for irrigation source water, further reducing the need to use groundwater for irrigation purposes.

Wildlife and Habitat. Less than significant effects on wildlife and habitat would occur during construction and operation of the Proposed Action. The vast majority of natural habitats would remain intact on the Site, with development proposed within previously disturbed lands. Developed areas will be replanted with native trees, shrubs and grass species to reduce long-term effects. The Proposed Action would remove marginal habitat for the federal candidate species and state-listed gopher tortoise (*Gopherus polyphemus*). A previous permit from Florida Fish and Wildlife Conservation Commission was issued to relocate all tortoises within the boundary of CCNC. A 2019 review of the 52-acre area associated with Phase 2 determined no gopher tortoise burrows within the project footprint. No other evidence of other State-or Federally-listed threatened or endangered species was observed utilizing the Phase 2 project area during the survey.

Noise. Less than significant effects from noise would occur during construction and operation of the Proposed Action. During construction, noise from construction vehicles and building construction would occur but be minimized by limiting construction schedules to weekdays between 7:00 AM and 10:00 PM. During operation, long term periodic noise effects would occur from rifle salutes during committal services, but these effects would be reduced and managed by limiting the number of salutes to 3-5 per committal service and holding services between 7:00 AM

and 4:00 PM. Noise effects would be further reduced by maintaining the noise-buffering tree-lined border around the Site perimeter.

Land Use. No significant adverse land use effects would occur during construction and operation of the Proposed Action. Beneficial minor long-term land use effects may occur due to the preservation of open space within the region and developing the Site in consideration of local zoning requirements. While the Site is currently zoned Agricultural Residential (AU) with a future land use designation of Residential 1 (one dwelling unit per acre), the proposed cemetery phase is permitted within residential land use designations, with conditions under the institutional low intensity classification.

Socioeconomics. No significant adverse socioeconomic effects would occur during construction and operation of the Proposed Action. Beneficial minor short term and long-term effects may occur due to increased local employment and personal income during construction. Operating a new National Cemetery would have an indirect long term positive socioeconomic effect on the local area.

Community Services. No significant adverse effects on community services would occur during construction and operation of the Proposed Action. The Proposed Action would not measurably increase the demand on local police or fire services. Use of other public or community services as a result of the Proposed Action is not expected. As such, the Proposed Action is expected to have a negligible impact on local community services.

Solid and Hazardous Materials. Less than significant effects from solid and hazardous materials would occur during construction and operation of the Proposed Action. Materials normally associated with construction activities would be present; however potential effects would be reduced or avoided with implementation of identified BMPs, such as maintaining construction equipment in good working order and implementing a spill prevention and control plan for potential releases of vehicle operating fluids. During operation, any potentially hazardous materials present at the Site will be stored in locations designated for hazardous materials.

Transportation and Parking. Less than significant effects on transportation would occur during construction and operation of the Proposed Action; no effect would occur on parking. Based on a Traffic Impact Analysis (TIA) conducted at the Site in 2013 (Englander), the effect from the addition of approximately 500 vehicles per day visiting the National Cemetery represents less than a 20% increase in traffic on local access roads, and therefore would be insignificant in the ROI. Additionally, the minor increase in traffic on local highway flow during operating periods would be further minimized by creating turning lanes, sufficient traffic lights, and posting cemetery location notices on U.S. Highway 1.

Utilities. No significant effect on utilities is anticipated during construction and operation of the Proposed Action. Construction and operation of the proposed National Cemetery would increase on- site utility consumption for electricity, communications/data, and natural gas. These increases

would remain within the capacity of local service providers therefore effects would be negligible. Potable water would be obtained from existing or new on-Site groundwater wells and treated prior to consumption, while irrigation water would be obtained from stormwater collected in on-Site stormwater retention ponds. Consumption of these utilities during operation would be negligible.

Environmental Justice. No significant effect on environmental justice is anticipated during construction and operation of the Proposed Action. The proposed action does not disproportionately affect minority and or low-income populations located in the vicinity of the Site.

Cumulative Impact. Implementation of the Proposed Action is not expected to cumulatively significantly adversely affect any technical resource area discussed above. Cumulative net positive impacts to aesthetics, land use, and the local socioeconomic environment are anticipated from implementing the Proposed Action. The Proposed Action would not noticeably contribute to on-site and regional decline in natural resources and would maintain or enhance the local socioeconomic environment through indirect, beneficial impacts. Additionally, a separate NEPA analysis will be performed on future development phases to evaluate potential impacts to individual technical resource areas discussed above, and consider potential cumulative impacts associated with development at that time.

Potential for Generating Substantial Public Controversy. Construction and operation of the Proposed Action is consistent with surrounding land uses. No substantial public controversy regarding the Proposed Action has been received during the scoping or public comment period. Additionally, there are positive impacts relative to the aesthetics, land use, and local employment both during construction and operation of the Proposed Action.

3. Agency and Public Comment

The Draft SEA was made available for agency and public review for 30 days beginning 17 April 2020. A Notice of Availability was published in the local Florida Today Newspaper on 17 April 2020 and 19 April 2020, with information on how to obtain the documents and where to send comments. The Draft SEA was deposited in the Administration Building of the Cape Canaveral National Cemetery, made available online for downloading from the VA website, and letters requesting review were sent to federal, state, and local agencies and groups.

As of close of the public comment period, no member of the general public expressed opposition to the Proposed Action. The VA received comments or responses from the following agencies: BCPW, BCFR, Florida SHPO, FDOT, ACOE, FWC, FNAI, NBEDZ, and EDCFSC. Input provided by these agencies is addressed in the Final SEA resource.

4. Finding of No Significant Impact

As a result of the analysis of impacts in the SEA, summarized and incorporated by reference herein, it is the conclusion of the VA that, with the implementation of appropriate management and avoidance measures included herein as Appendix A, the Proposed Action would not generate significant public controversy nor have a significant adverse impact the quality of the natural or human environment within the meaning of Section 102(2c) of the National Environmental Policy Act of 1969. Therefore, preparation of an environmental impact statement is not required.

For additional information, contact: Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

Stephan J Frank
1047206

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Frank 1047206
Date: 2020.06.03 15:35:34 -04'00'

Stephan Frank
Executive Director, NCA

DATE

FERNANDO L.
FERNANDEZ
336237

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336237
Date: 2020.06.04 13:38:00
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Fernando Fernandez
Environmental Engineer, VACFM

DATE

Appendix C:
Stakeholder, NEPA and Section 106 Letters



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

U.S. Army Corps of Engineers - Jacksonville

John Campbell

Public Affairs Office

701 San Marco Boulevard

Jacksonville, FL 32207

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Campbell,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

The entirety of the CCNC was subject to both a Programmatic Environmental Assessment in 2012 and a previous Site-Specific Environmental Assessment 2014 associated with Phase 1. Now that Phase 2 is under development, the VA is soliciting input on any concerns or applicable

information regarding Phase 2. Information received will be incorporated into the Phase 2 SEA. There will be a public comment period once the draft SEA for Phase 2 is complete.

The VA appreciates your assistance in this matter and ask that you inform the VA if you an interest in the proposed project within 30 days from the date of this letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:15:07 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

U.S. Army Corps of Engineers - Jacksonville

John Palmer

Regulatory Field Office

400 High Point Drive, Suite 600

Cocoa, FL 32926

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Palmer,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:16:08 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Brevard County Division of Parks and Recreation

Mary Ellen Donner, Director

2725 Judge Fran Jamieson Way, B203

Viera, FL 32940

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Donner,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:17:20 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Brevard County Economic Development Commission

Frank Abbate, County Manager

597 Haverty Court, Suite 40

Rockledge, FL 32955

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Abbate,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

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FERNANDEZ 336237
Date: 2020.02.18 10:18:23 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Brevard County Fire Rescue Department

Mark Schollmeyer, Fire Chief

1040 S. Florida Avenue

Rockledge, FL 32955

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Schollmeyer,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,
FERNANDO L.

FERNANDEZ 336237

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:19:24 -05'00'

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Brevard County Health Department

Maria Stahl, DNP, RN

2575 N. Courtenay Parkway

Merritt Island, FL 32953

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Stahl,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:20:41 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Brevard County Natural Resources Management Office

Virginia Barker, Director

2725 Judge Fran Jamieson Way, Building A

Viera, FL 32940

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Barker,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:21:48 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Brevard County Property Appraiser

Dana Blickley

400 South Street, 5th Floor

Titusville, FL 32780

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Blickley,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:22:54 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Brevard County Planning & Development Department

Ms. Martha Deneher

2725 Judge Fran Jamieson Way, Building A

Viera, FL 32940

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Deneher,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:23:54 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Brevard County Public Works Department

Corrina Gumm

2725 Judge Fran Jamieson Way, Building A

Viera, FL 32940

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Gumm,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:24:58 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

28 April 2020

Economic Development Commission of Florida's Space Coast

Lynda Weatherman

President/CEO

6525 3rd Street, Suite 304

Rockledge, Florida 32955

**RE: Department of Veterans Affairs
Site Specific Environmental Assessment for Cape Canaveral National Cemetery
Phase 2
Mims, Brevard County, Florida**

Dear Ms. Weatherman,


The Department of Veterans Affairs (VA) announces the availability of a Draft Site-Specific Environmental Assessment (SEA) for the proposed construction and operation of Phase 2 of the Cape Canaveral National Cemetery located at 5525 US-1, Mims, Florida 32754. The Draft SEA was prepared in accordance with the National Environmental Policy Act (NEPA) to determine the potential environmental, cultural, and socioeconomic impacts associated with the completion of Phase 2 of the Cape Canaveral National Cemetery. The Phase 2 development of the Cape Canaveral National Cemetery will expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

The Draft SEA concludes that no significant impacts to the environment would result, and the VA is proposing to issue a Finding of No Significant Impact (FONSI) should no objection occur from the public noticing process. The VA intends to issue a FONSI following a thirty (30) day comment period in accordance with the Council of Environmental Quality Regulations for implementing NEPA, Section 1508.13 and the VA NEPA Interim Guidance for Projects providing there are no substantive comments that warrant further evaluation. You may view the Draft SEA digitally at <http://www.cem.va.gov/cem/EA.asp>. Due to the various current closures and shelter in place orders throughout Florida associated with Covid-19, the VA encourages the review of the electronic copy of the SEA located on the VA website.

The SEA will be available for review after the Notice of Availability is published in the local newspaper (*Florida Today*) for two non-consecutive days, one of which will occur in a Sunday edition. If you would like to comment on the draft SEA, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L.
FERNANDEZ
336237



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L. FERNANDEZ 336237
Date: 2020.04.28 15:18:08
-04'00'

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

U.S. Environmental Protection Agency, Region 4

Brandi Jenkins

Office of Public Affairs

Sam Nunn Atlanta Federal Center

61 Forsyth Street SW

Atlanta, GA 30303

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Jenkins,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:25:59 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Florida Department of Environmental Protection

John Calhoun, Director

Office of the Ombudsman and Public Services

3900 Commonwealth Boulevard, MS 49

Tallahassee, FL 32399

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Calhoun,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

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Sincerely,
FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
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**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Florida Department of Environmental Protection

Alex Reed

Coastal Management Program

3900 Commonwealth Boulevard, MS 47

Tallahassee, FL 32399

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Reed,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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The VA appreciates your assistance in this matter and ask that you inform the VA if you an interest in the proposed project within 30 days from the date of this letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

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FERNANDEZ 336237
Date: 2020.02.18 10:28:03 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Florida Division of Historical Resources

Timothy Parsons, PhD

State Historic Preservation Office

500 S. Bronough Street

Tallahassee, FL 32399

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Dr. Parsons,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

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Date: 2020.02.18 10:29:23 -05'00'

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Florida Department of Transportation

Stephanie Kopelousos

Secretary of Transportation

605 Suwannee Street

Tallahassee, FL 32399

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Kopelousos,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

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FERNANDEZ 336237
Date: 2020.02.18 10:30:22 -05'00'

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Florida Wildlife Commission

Melody Kilborn

Office of Public Affairs

3900 Drane Field Road

Lakeland, FL 33811

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Kilborn,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,
FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:31:22 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Florida Natural Areas Inventory

Dan Hipes, Director

Office of Public Affairs

1018 Thomasville Road

Tallahassee, FL 32303

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Hipes,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:32:29 -05'00'

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

28 April 2020

Florida Natural Areas Inventory

Dan Hipes, Director
Office of Public Affairs
1018 Thomasville Road, Suite 200-C
Tallahassee, FL 32303

**RE: Department of Veterans Affairs
Site Specific Environmental Assessment for Cape Canaveral National Cemetery
Phase 2
Mims, Brevard County, Florida**

Dear Mr. Hipes,

The Department of Veterans Affairs (VA) announces the availability of a Draft Site-Specific Environmental Assessment (SEA) for the proposed construction and operation of Phase 2 of the Cape Canaveral National Cemetery located at 5525 US-1, Mims, Florida 32754. The Draft SEA was prepared in accordance with the National Environmental Policy Act (NEPA) to determine the potential environmental, cultural, and socioeconomic impacts associated with the completion of Phase 2 of the Cape Canaveral National Cemetery. The Phase 2 development of the Cape Canaveral National Cemetery will expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

The Draft SEA concludes that no significant impacts to the environment would result, and the VA is proposing to issue a Finding of No Significant Impact (FONSI) should no objection occur from the public noticing process. The VA intends to issue a FONSI following a thirty (30) day comment period in accordance with the Council of Environmental Quality Regulations for implementing NEPA, Section 1508.13 and the VA NEPA Interim Guidance for Projects providing there are no substantive comments that warrant further evaluation. You may view the Draft SEA digitally at <http://www.cem.va.gov/cem/EA.asp>. Due to the various current closures and shelter in place orders throughout Florida associated with Covid-19, the VA encourages the review of the electronic copy of the SEA located on the VA website.

The SEA will be available for review after the Notice of Availability is published in the local newspaper (*Florida Today*) for two non-consecutive days, one of which will occur in a Sunday edition. If you would like to comment on the draft SEA, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L. FERNANDEZ
336237

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FERNANDO L.
FERNANDEZ 336237
Date: 2020.04.28
15:16:06 -04'00'

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Florida Fish and Wildlife Conservation Commission

Susan Neel, Director

Office of Public Affairs

620 S. Meridian Street, MS 5B5

Tallahassee, FL 32399

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Ms. Neel,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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information regarding Phase 2. Information received will be incorporated into the Phase 2 SEA. There will be a public comment period once the draft SEA for Phase 2 is complete.

The VA appreciates your assistance in this matter and ask that you inform the VA if you an interest in the proposed project within 30 days from the date of this letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,
FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

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Date: 2020.02.18 10:33:32 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Florida Fish and Wildlife Conservation Commission

Thomas Reinert, Ph.D., Regional Director

Species Conservation Planning Section

8535 Northlake Boulevard

West Palm Beach, FL 33412

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Dr. Reinert,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

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Date: 2020.02.18 10:34:30 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

27 April 2020

North Brevard Economic Development Zone

Troy Post

Executive Director

400 South Street

Titusville, Florida 32780

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Post,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

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Sincerely,

FERNANDO L.
FERNANDEZ
336237

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FERNANDO L.
FERNANDEZ 336237
Date: 2020.04.27
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Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

St. Johns River Water Management District

Erich Marzolf, Division Director

Office of Public Affairs

P.O. Box 1429

Palatka, FL 32178

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Marzolf,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

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Sincerely,
FERNANDO L.

FERNANDEZ 336237

Digitally signed by FERNANDO L.
FERNANDEZ 336237
Date: 2020.02.18 10:43:13 -05'00'

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

St. Johns River Water Management District

Jeff Prather, Division Director

Palm Bay Service Center

525 Community College Parkway SE

Palm Bay, FL 32909

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Prather,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

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FERNANDEZ 336237
Date: 2020.02.18 10:44:18 -05'00'



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

U.S. Fish and Wildlife Service – Southeast Region

Jeffrey Fleming

Deputy Regional Director

Office of External Affairs

1875 Century Boulevard

Atlanta, Georgia 30345

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Phase 2

Mims, Brevard County, Florida

Dear Mr. Fleming,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

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Sincerely,
FERNANDO L.

FERNANDEZ 336237

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FERNANDEZ 336237
Date: 2020.02.18 10:45:15 -05'00'

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Coushatta Tribe of Louisiana

Linda Langley

THPO

PO Box 10

Elton, Louisiana 70532

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery Phase 2

Mims, Brevard County, Florida

Dear Ms. Langley,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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information regarding Phase 2. Information received will be incorporated into the Phase 2 SEA. There will be a public comment period once the draft SEA for Phase 2 is complete.

The VA appreciates your assistance in this matter and ask that you inform the VA if you an interest in the proposed project within 30 days from the date of this letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

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FERNANDEZ 336237
Date: 2020.02.18 10:13:49 -05'00'

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

31 January 2020

Coushatta Tribe of Louisiana
Linda Langley, THPO
PO Box 10
Elton, Louisiana 70532

**RE: Initiation of Section 106 Consultation for Phase 2 Expansion of the
Cape Canaveral National Cemetery, Brevard County, Mims, Florida**

Dear Ms. Langley,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the Cape Canaveral National Cemetery (CCNC) in Mims, FL, is initiating section 106 consultation with the Coushatta Tribe of Louisiana for the referenced project. The CCNC is located at 5525 US Highway 1, Mims, Florida 32754. The Phase 2 Expansion Project looks to expand the interment areas and enable the U.S. Department of Veterans Affairs (VA) to provide eligible Veterans and their families in central Florida with a new National Cemetery of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years.

Undertaking

The CCNC has determined that the undertaking is defined as the expansion of the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

Area of Potential Effect

The CCNC has determined that the Area of Potential Effect (APE) for this undertaking includes all adjacent properties and CCNC's Phase II development tract. The CCNC has previously conducted Phase I cultural resource assessment surveys for the overall boundary of the approximately 318-acre CCNC development in which the CCNC's Phase II tract is nested (Attachment A).

Identification of Historic Properties

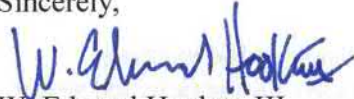
The CCNC conducted two Phase I cultural resource assessment surveys of the Phase I and II CCNC tract in April and May of 2012. As a result, two archaeological sites were encountered, both of which are outside the CCNC Phase II tract. One site is within the overall CCNC tract (8BR2937), and the other is approximately 3,000-feet west-northwest of CCNC's Phase II tract (BR00567) (Attachment B). Between CCNC's Phase II tract and resource BR00567, there are many residential home plots and the four lane US-1 highway creating a visual and auditory buffer from development to the resource. Resource 8BR2937 is within the overall project boundary of CCNC and was a previously unrecorded archaeological site until discovery by the Phase I cultural resource assessment survey (Attachment C). This resource is approximately 1,360-feet north of the CCNC phase II tract. Both resources were determined ineligible for listing in the National Register of Historic Places with previous concurrence with the SHPO. Please see the Phase I cultural resource assessment report, and previous concurrence with the SHPO in Attachment D for reference.

Determination of Findings

Therefore, pursuant to 36 CFR 800.4(d)(1), the CCNC has determined that no historic properties within the APE will be affected by this undertaking and requests the Tribe's concurrence on the agency's finding per 36 CFR Part 800.

Should you require further information, please contact William E. Hooker III at (202) 632-6631 or William.Hooker@va.gov. Thank you in advance for your consideration.

Sincerely,



W. Edward Hooker, III
Historic Architect/ Cultural Resources Manager
U.S. Department of Veterans Affairs
National Cemetery Administration
Design and Construction Service

Attachments:

- A. CCNC APE
- B. Location of BR00567
- C. Location of 8BR2937
- D. Phase I report and SHPO concurrence

CC: Douglas Pulak, Federal Preservation Officer, U.S. Department of Veterans Affairs
Fernando Fernandez, Environmental Engineer, Department of Veterans Affairs, OCFM
Gary Howalt, PWS, Department Manager, Environmental Services Inc., a Terracon Company



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Misccosukee Tribe of Indians

Fred Dayhoff

THPO

HC61SR68 Old Loop Road

Ochopee, Florida 34141

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery Phase 2

Mims, Brevard County, Florida

Dear Mr. Dayhoff,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

The entirety of the CCNC was subject to both a Programmatic Environmental Assessment in 2012 and a previous Site-Specific Environmental Assessment 2014 associated with Phase 1. Now that Phase 2 is under development, the VA is soliciting input on any concerns or applicable

information regarding Phase 2. Information received will be incorporated into the Phase 2 SEA. There will be a public comment period once the draft SEA for Phase 2 is complete.

The VA appreciates your assistance in this matter and ask that you inform the VA if you an interest in the proposed project within 30 days from the date of this letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

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Date: 2020.02.18 10:36:51 -05'00'

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

31 January 2020

Misccosukee Tribe of Indians
Fred Dayhoff
THPO
HC61SR68 Old Loop Road
Ochopee, Florida 34141

**RE: Initiation of Section 106 Consultation for Phase 2 Expansion of the
Cape Canaveral National Cemetery, Brevard County, Mims, Florida**

Dear Mr. Dayhoff,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the Cape Canaveral National Cemetery (CCNC) in Mims, FL, is initiating section 106 consultation with the Misccosukee Tribe of Indians for the referenced project. The CCNC is located at 5525 US Highway 1, Mims, Florida 32754. The Phase 2 Expansion Project looks to expand the interment areas and enable the U.S. Department of Veterans Affairs (VA) to provide eligible Veterans and their families in central Florida with a new National Cemetery of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years.

Undertaking

The CCNC has determined that the undertaking is defined as the expansion of the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

Area of Potential Effect

The CCNC has determined that the Area of Potential Effect (APE) for this undertaking includes all adjacent properties and CCNC's Phase II development tract. The CCNC has previously conducted Phase I cultural resource assessment surveys for the overall boundary of the approximately 318-acre CCNC development in which the CCNC's Phase II tract is nested (Attachment A).

Identification of Historic Properties

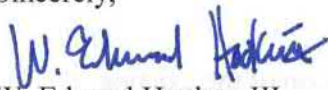
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Determination of Findings

Therefore, pursuant to 36 CFR 800.4(d)(1), the CCNC has determined that no historic properties within the APE will be affected by this undertaking and requests the Tribe's concurrence on the agency's finding per 36 CFR Part 800.

Should you require further information, please contact William E. Hooker III at (202) 632-6631 or William.Hooker@va.gov. Thank you in advance for your consideration.

Sincerely,



W. Edward Hooker, III
Historic Architect/ Cultural Resources Manager
U.S. Department of Veterans Affairs
National Cemetery Administration
Design and Construction Service

Attachments:

- A. CCNC APE
- B. Location of BR00567
- C. Location of 8BR2937
- D. Phase I report and SHPO concurrence

CC: Douglas Pulak, Federal Preservation Officer, U.S. Department of Veterans Affairs
Fernando Fernandez, Environmental Engineer, Department of Veterans Affairs, OCFM
Gary Howalt, PWS, Department Manager, Environmental Services Inc., a Terracon Company



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Muscogee (Creek) Nation

RaeLynn Butler

THPO

PO Box 580

Okmulgee, OK 74447

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery Phase 2

Mims, Brevard County, Florida

Dear Ms. Butler,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

The entirety of the CCNC was subject to both a Programmatic Environmental Assessment in 2012 and a previous Site-Specific Environmental Assessment 2014 associated with Phase 1. Now that Phase 2 is under development, the VA is soliciting input on any concerns or applicable

information regarding Phase 2. Information received will be incorporated into the Phase 2 SEA. There will be a public comment period once the draft SEA for Phase 2 is complete.

The VA appreciates your assistance in this matter and ask that you inform the VA if you an interest in the proposed project within 30 days from the date of this letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

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FERNANDEZ 336237
Date: 2020.02.18 10:38:25 -05'00'

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

31 January 2020

Muscogee (Creek) Nation
RaeLynn Butler
THPO
PO Box 580
Okmulgee, OK 74447

**RE: Initiation of Section 106 Consultation for Phase 2 Expansion of the
Cape Canaveral National Cemetery, Brevard County, Mims, Florida**

Dear Ms. Butler,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the Cape Canaveral National Cemetery (CCNC) in Mims, FL, is initiating section 106 consultation with the Muscogee (Creek) Nation Tribe for the referenced project. The CCNC is located at 5525 US Highway 1, Mims, Florida 32754. The Phase 2 Expansion Project looks to expand the interment areas and enable the U.S. Department of Veterans Affairs (VA) to provide eligible Veterans and their families in central Florida with a new National Cemetery of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years.

Undertaking

The CCNC has determined that the undertaking is defined as the expansion of the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

Area of Potential Effect

The CCNC has determined that the Area of Potential Effect (APE) for this undertaking includes all adjacent properties and CCNC's Phase II development tract. The CCNC has previously conducted Phase I cultural resource assessment surveys for the overall boundary of the approximately 318-acre CCNC development in which the CCNC's Phase II tract is nested (Attachment A).

Identification of Historic Properties

The CCNC conducted two Phase I cultural resource assessment surveys of the Phase I and II CCNC tract in April and May of 2012. As a result, two archaeological sites were encountered, both of which are outside the CCNC Phase II tract. One site is within the overall CCNC tract (8BR2937), and the other is approximately 3,000-feet west-northwest of CCNC's Phase II tract (BR00567) (Attachment B). Between CCNC's Phase II tract and resource BR00567, there are many residential home plots and the four lane US-1 highway creating a visual and auditory buffer from development to the resource. Resource 8BR2937 is within the overall project boundary of CCNC and was a previously unrecorded archaeological site until discovery by the Phase I cultural resource assessment survey (Attachment C). This resource is approximately 1,360-feet north of the CCNC phase II tract. Both resources were determined ineligible for listing in the National Register of Historic Places with previous concurrence with the SHPO. Please see the Phase I cultural resource assessment report, and previous concurrence with the SHPO in Attachment D for reference.

Determination of Findings

Therefore, pursuant to 36 CFR 800.4(d)(1), the CCNC has determined that no historic properties within the APE will be affected by this undertaking and requests the Tribe's concurrence on the agency's finding per 36 CFR Part 800.

Should you require further information, please contact William E. Hooker III at (202) 632-6631 or William.Hooker@va.gov. Thank you in advance for your consideration.

Sincerely,



W. Edward Hooker, III
Historic Architect/ Cultural Resources Manager
U.S. Department of Veterans Affairs
National Cemetery Administration
Design and Construction Service

Attachments:

- A. CCNC APE
- B. Location of BR00567
- C. Location of 8BR2937
- D. Phase I report and SHPO concurrence

CC: Douglas Pulak, Federal Preservation Officer, U.S. Department of Veterans Affairs
Fernando Fernandez, Environmental Engineer, Department of Veterans Affairs, OCFM
Gary Howalt, PWS, Department Manager, Environmental Services Inc., a Terracon Company



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Poarch Band of Creek Indians of Alabama

Robert Thrower

THPO

5811 Jack Springs Road

Atmore, Alabama 36502

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery Phase 2

Mims, Brevard County, Florida

Dear Mr. Thrower,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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The VA appreciates your assistance in this matter and ask that you inform the VA if you an interest in the proposed project within 30 days from the date of this letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

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Date: 2020.02.18 10:39:38 -05'00'

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

31 January 2020

Poarch Band of Creek Indians of Alabama
Robert Thrower
THPO
5811 Jack Springs Road
Atmore, Alabama 36502

**RE: Initiation of Section 106 Consultation for Phase 2 Expansion of the
Cape Canaveral National Cemetery, Brevard County, Mims, Florida**

Dear Mr. Thrower,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the Cape Canaveral National Cemetery (CCNC) in Mims, FL, is initiating section 106 consultation with the Poarch Band of Creek Indians of Alabama for the referenced project. The CCNC is located at 5525 US Highway 1, Mims, Florida 32754. The Phase 2 Expansion Project looks to expand the interment areas and enable the U.S. Department of Veterans Affairs (VA) to provide eligible Veterans and their families in central Florida with a new National Cemetery of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years.

Undertaking

The CCNC has determined that the undertaking is defined as the expansion of the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

Area of Potential Effect

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Identification of Historic Properties

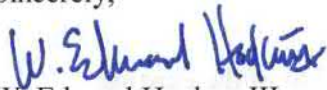
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Determination of Findings

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Should you require further information, please contact William E. Hooker III at (202) 632-6631 or William.Hooker@va.gov. Thank you in advance for your consideration.

Sincerely,



W. Edward Hooker, III
Historic Architect/ Cultural Resources Manager
U.S. Department of Veterans Affairs
National Cemetery Administration
Design and Construction Service

Attachments:

- A. CCNC APE
- B. Location of BR00567
- C. Location of 8BR2937
- D. Phase I report and SHPO concurrence

CC: Douglas Pulak, Federal Preservation Officer, U.S. Department of Veterans Affairs
Fernando Fernandez, Environmental Engineer, Department of Veterans Affairs, OCFM
Gary Howalt, PWS, Department Manager, Environmental Services Inc., a Terracon Company



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Ponca Tribe of Nebraska

Randy Teboe

THPO

100 Bluff Street

Winnebago, Nebraska 68071

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery Phase 2

Mims, Brevard County, Florida

Dear Mr. Teboe,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

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Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

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Date: 2020.02.18 10:40:47 -05'00'

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

31 January 2020

Ponca Tribe of Nebraska
Randy Teboe
THPO
100 Bluff Street
Winnebago, Nebraska 68071

**RE: Initiation of Section 106 Consultation for Phase 2 Expansion of the
Cape Canaveral National Cemetery, Brevard County, Mims, Florida**

Dear Mr. Teboe,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the Cape Canaveral National Cemetery (CCNC) in Mims, FL, is initiating section 106 consultation with the Ponca Tribe of Nebraska for the referenced project. The CCNC is located at 5525 US Highway 1, Mims, Florida 32754. The Phase 2 Expansion Project looks to expand the interment areas and enable the U.S. Department of Veterans Affairs (VA) to provide eligible Veterans and their families in central Florida with a new National Cemetery of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years.

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Determination of Findings

Therefore, pursuant to 36 CFR 800.4(d)(1), the CCNC has determined that no historic properties within the APE will be affected by this undertaking and requests the Tribe's concurrence on the agency's finding per 36 CFR Part 800.

Should you require further information, please contact William E. Hooker III at (202) 632-6631 or William.Hooker@va.gov. Thank you in advance for your consideration.

Sincerely,



W. Edward Hooker, III
Historic Architect/ Cultural Resources Manager
U.S. Department of Veterans Affairs
National Cemetery Administration
Design and Construction Service

Attachments:

- A. CCNC APE
- B. Location of BR00567
- C. Location of 8BR2937
- D. Phase I report and SHPO concurrence

CC: Douglas Pulak, Federal Preservation Officer, U.S. Department of Veterans Affairs
Fernando Fernandez, Environmental Engineer, Department of Veterans Affairs, OCFM
Gary Howalt, PWS, Department Manager, Environmental Services Inc., a Terracon Company



**DEPARTMENT OF VETERANS AFFAIRS
OFFICE OF CONSTRUCTION AND FACILITIES MANAGEMENT
WASHINGTON DC 20420**

18 February 2020

Seminole Tribe of Florida

William Steele

Compliance Officer

6300 Stirling Road

Hollywood, Florida 33024

RE: Department of Veterans Affairs

Site Specific Environmental Assessment for Cape Canaveral National Cemetery Phase 2

Mims, Brevard County, Florida

Dear Mr. Steele,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida. The cemetery is located at 5525 US Highway 1, Mims, Florida 32754.

The purpose of the Phase 2 expansion is to continue to enable the VA to provide eligible Veterans and their families with a national cemetery of sufficient size and capacity to serve the projected needs of the region. The proposed project sets out to expand the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

The entirety of the CCNC was subject to both a Programmatic Environmental Assessment in 2012 and a previous Site-Specific Environmental Assessment 2014 associated with Phase 1. Now that Phase 2 is under development, the VA is soliciting input on any concerns or applicable

information regarding Phase 2. Information received will be incorporated into the Phase 2 SEA. There will be a public comment period once the draft SEA for Phase 2 is complete.

The VA appreciates your assistance in this matter and ask that you inform the VA if you an interest in the proposed project within 30 days from the date of this letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Sincerely,

FERNANDO L.

FERNANDEZ 336237

Fernando L. Fernández

Environmental Engineer

U.S. Department of Veterans Affairs

Construction and Facilities Management Office

Digitally signed by FERNANDO
L. FERNANDEZ 336237
Date: 2020.02.18 10:42:01
-05'00'



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

31 January 2020

Seminole Tribe of Florida
William Steele
Compliance Officer
6300 Stirling Road
Hollywood, Florida 33024

**RE: Initiation of Section 106 Consultation for Phase 2 Expansion of the
Cape Canaveral National Cemetery, Brevard County, Mims, Florida**

Dear Mr. Steele,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the Cape Canaveral National Cemetery (CCNC) in Mims, FL, is initiating section 106 consultation with the Seminole Tribe of Florida for the referenced project. The CCNC is located at 5525 US Highway 1, Mims, Florida 32754. The Phase 2 Expansion Project looks to expand the interment areas and enable the U.S. Department of Veterans Affairs (VA) to provide eligible Veterans and their families in central Florida with a new National Cemetery of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years.

Undertaking

The CCNC has determined that the undertaking is defined as the expansion of the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

Area of Potential Effect

The CCNC has determined that the Area of Potential Effect (APE) for this undertaking includes all adjacent properties and CCNC's Phase II development tract. The CCNC has previously conducted Phase I cultural resource assessment surveys for the overall boundary of the approximately 318-acre CCNC development in which the CCNC's Phase II tract is nested (Attachment A).

Identification of Historic Properties

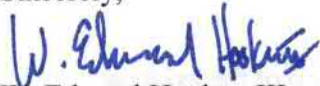
The CCNC conducted two Phase I cultural resource assessment surveys of the Phase I and II CCNC tract in April and May of 2012. As a result, two archaeological sites were encountered, both of which are outside the CCNC Phase II tract. One site is within the overall CCNC tract (8BR2937), and the other is approximately 3,000-feet west-northwest of CCNC's Phase II tract (BR00567) (Attachment B). Between CCNC's Phase II tract and resource BR00567, there are many residential home plots and the four lane US-1 highway creating a visual and auditory buffer from development to the resource. Resource 8BR2937 is within the overall project boundary of CCNC and was a previously unrecorded archaeological site until discovery by the Phase I cultural resource assessment survey (Attachment C). This resource is approximately 1,360-feet north of the CCNC phase II tract. Both resources were determined ineligible for listing in the National Register of Historic Places with previous concurrence with the SHPO. Please see the Phase I cultural resource assessment report, and previous concurrence with the SHPO in Attachment D for reference.

Determination of Findings

Therefore, pursuant to 36 CFR 800.4(d)(1), the CCNC has determined that no historic properties within the APE will be affected by this undertaking and requests the Tribe's concurrence on the agency's finding per 36 CFR Part 800.

Should you require further information, please contact William E. Hooker III at (202) 632-6631 or William.Hooker@va.gov. Thank you in advance for your consideration.

Sincerely,



W. Edward Hooker, III
Historic Architect/ Cultural Resources Manager
U.S. Department of Veterans Affairs
National Cemetery Administration
Design and Construction Service

Attachments:

- A. CCNC APE
- B. Location of BR00567
- C. Location of 8BR2937
- D. Phase I report and SHPO concurrence

CC: Douglas Pulak, Federal Preservation Officer, U.S. Department of Veterans Affairs
Fernando Fernandez, Environmental Engineer, Department of Veterans Affairs, OCFM
Gary Howalt, PWS, Department Manager, Environmental Services Inc., a Terracon Company



**DEPARTMENT OF VETERANS AFFAIRS
NATIONAL CEMETERY ADMINISTRATION
Design and Construction Service
Washington DC 20420**

31 January 2020

Florida Division of Historical Resources
State Historic Preservation Office
Timothy Parsons, PhD
500 S. Bronough Street
Tallahassee, Florida 32399

**RE: Initiation of Section 106 Consultation for Phase 2 Expansion of the
Cape Canaveral National Cemetery, Brevard County, Mims, Florida**

Dear Dr. Parsons,

Pursuant to Section 106 of the National Historic Preservation Act (54 USC 306108), the Cape Canaveral National Cemetery (CCNC) in Mims, FL, is initiating section 106 consultation with the State Historic Preservation Office (SHPO) for the referenced project. The CCNC is located at 5525 US Highway 1, Mims, Florida 32754. The Phase 2 Expansion Project looks to expand the interment areas and enable the U.S. Department of Veterans Affairs (VA) to provide eligible Veterans and their families in central Florida with a new National Cemetery of sufficient size and capacity to serve the projected needs in this region for at least the next 100 years.

Undertaking

The CCNC has determined that the undertaking is defined as the expansion of the existing cemetery facility by approximately 52 acres and represents a continuation of an anticipated seven phase cemetery build-out. In total, the Phase 2 area would include 20,074 gravesites (included both preplaced crypts and urn crypts) in 20 sections. Other improvements include stormwater retention areas, interior roads, utilities and infrastructure, and signage. The land proposed for development is owned by the VA and is currently a mix of improved and unimproved cleared lands, stormwater ponds, and interior roadways.

Area of Potential Effect

The CCNC has determined that the Area of Potential Effect (APE) for this undertaking includes all adjacent properties and CCNC's Phase II development tract. The CCNC has previously conducted Phase I cultural resource assessment surveys for the overall boundary of the approximately 318-acre CCNC development in which the CCNC's Phase II tract is nested (Attachment A).

Identification of Historic Properties

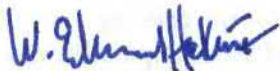
The CCNC conducted two Phase I cultural resource assessment surveys of the Phase I and II CCNC tract in April, and May of 2012. As a result, two archaeological sites were encountered, both of which are outside the CCNC Phase II tract. One site is within the overall CCNC tract (8BR2937), and the other is approximately 3,000-feet west-northwest of CCNC's Phase II tract (BR00567) (Attachment B). Between CCNC's Phase II tract and resource BR00567, there are many residential home plots and the four lane US-1 highway creating a visual and auditory buffer from development to the resource. Resource 8BR2937 is within the overall project boundary of CCNC and was a previously unrecorded archaeological site until discovery by the Phase I cultural resource assessment survey (Attachment C). This resource is approximately 1,360-feet north of the CCNC phase II tract. Both resources were determined ineligible for listing in the National Register of Historic Places with previous concurrence with the SHPO. Please see the Phase I cultural resource assessment report, and previous concurrence with the SHPO in Attachment D for reference.

Determination of Findings

Therefore, pursuant to 36 CFR 800.4(d)(1), the CCNC has determined that no historic properties within the APE will be affected by this undertaking and requests the SHPOs concurrence on the agency's finding per 36 CFR Part 800.

Should you require further information, please contact William E. Hooker III at (202) 632-6631 or William.Hooker@va.gov. Thank you in advance for your consideration.

Sincerely,



W. Edward Hooker, III
Historic Architect/ Cultural Resources Manager
U.S. Department of Veterans Affairs
National Cemetery Administration
Design and Construction Service

Attachments:

- A. CCNC APE
- B. Location of BR00567
- C. Location of 8BR2937
- D. Phase 1 report and SHPO concurrence

CC: Douglas Pulak, Federal Preservation Officer, U.S. Department of Veterans Affairs
Fernando Fernandez, Environmental Engineer, Department of Veterans Affairs, OCFM
Gary Howalt, PWS, Department Manager, Environmental Services Inc., a Terracon Company

Appendix D:
Stakeholder, NEPA and Section 106 Comments

Fahey, Shane R

From: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Sent: Wednesday, March 4, 2020 12:28 PM
To: Fahey, Shane R; Anderson, Brett A; Howalt, Gary K
Cc: John Strandberg; Dix, Kevin W. (CFM); Fernandez, Fernando L. (CFM)
Subject: FW: Cape Canaveral National Cemetery, Phase 2
Attachments: Cape Canaveral National Cemetery.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Team, please provide me with a response to this inquiry. My assumption is no as we are designing additional stormwater management features but maybe the access roads near the entrance might count with the discharge to the main road and county. Please clarify and I will send a response on behalf of the project.

Fernando L. Fernández REM

Office: 202.632.5529

Cell: 202.876.7608

From: Verrett, Christine N <Christine.Verrett@brevardfl.gov>
Sent: Wednesday, March 4, 2020 12:05 PM
To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Cc: Holman, Lauren <Lauren.Holman@brevardfl.gov>; Gerena, Rachel <Rachel.Gerena@brevardfl.gov>; Alward, Keith A <Keith.Alward@brevardfl.gov>
Subject: [EXTERNAL] Cape Canaveral National Cemetery, Phase 2

Good afternoon, Fernando.

We were forwarded the attached letter regarding phase 2. While the VA is exempt from Site plan review, they are not exempt from right-of-way permitting. Could you please advise if there will be any stormwater discharge to the County right-of-way or if any new driveway connections will be needed to the County right-of-way?

Christine Verrett

Special Projects Coordinator III
Brevard County Public Works/Engineering
2725 Judge Fran Jamieson Way, Bldg. A, Room 204
Melbourne, FL 32940
321-637-5437, Ext. 58328#

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Fahey, Shane R

From: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Sent: Thursday, March 5, 2020 2:50 PM
To: Howalt, Gary K; Anderson, Brett A; Fahey, Shane R; John Strandberg
Cc: Dix, Kevin W. (CFM); Fernandez, Fernando L. (CFM)
Subject: FW: PRR 5525 US 1, Mims (Cape Canaveral Nat'l Cemetery) - Environmental Assessment
Attachments: PRR Cape Can Natl Cemetery - Environmental Assessment.pdf

Team, for review and record.

Fernando L. Fernández REM

Office: 202.632.5529

Cell: 202.876.7608

From: Barrett, Pamela A <Pamela.Barrett@brevardfl.gov>
Sent: Thursday, March 5, 2020 2:39 PM
To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Subject: [EXTERNAL] PRR 5525 US 1, Mims (Cape Canaveral Nat'l Cemetery) - Environmental Assessment

Good Afternoon Mr. Fernandez,

Pursuant to your public records request letter that we received, and after obtaining the physical address via the internet, BCFR/Dispatch has searched our database and found no responsive records with regards to responding to any HazMat incidents. This concludes BCFR's response to your request. If I can be of further assistance, please do not hesitate to contact me.

Thank you,

Pamela Barrett

Administrative Assistant to Chief Schollmeyer

Brevard County Fire Rescue

1040 South Florida Avenue

Rockledge, FL 32955

321-633-2056 Ext 59742



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FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

Fernando L. Fernandez
Environmental Engineer
U.S. Department of Veterans Affairs
Construction and Facilities Management
425 I Street Northwest, Suite 6W317D
Washington D.C. 20420

April 9, 2020

RE: DHR Project File No.: 2020-1457, Received by DHR: March 5, 2020
Project: *Site Specific Environmental Assessment for Cape Canaveral National Cemetery Phase 2*
5525 US Hwy 1, Mims, Florida 32754
County: Brevard

Mr. Fernandez:

The Florida State Historic Preservation Officer reviewed the referenced project for possible effects on historic properties listed, or eligible for listing, in the *National Register of Historic Places*. The review was conducted in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*.

This office concurs with the U.S. Department of Veterans Affairs's determination that the proposed project will have no effect on historic properties listed, or eligible for listing, in the *National Register of Historic Places*.

If you have any questions, please contact Corey Lentz, Historic Sites Specialist, by email at Corey.Lentz@dos.myflorida.com, or by telephone at 850.245.6339.

Sincerely,

For
Timothy A Parsons, Ph.D.
Director, Division of Historical Resources
& State Historic Preservation Officer

Fahey, Shane R

From: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Sent: Wednesday, March 4, 2020 1:46 PM
To: Fahey, Shane R; Anderson, Brett A; Howalt, Gary K
Cc: John Strandberg; Dix, Kevin W. (CFM); Fernandez, Fernando L. (CFM)
Subject: FW: Information Update
Attachments: SKM_458e20030411150.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Team, not sure when this change took place but if prior to us sending the letter, this should have been addressed then. Please change letter to address change and send it to me for immediate signature and mailing.

Fernando L. Fernández REM

Office: 202.632.5529

Cell: 202.876.7608

From: Parfitt, Jenniffer <jenniffer.parfitt@dot.state.fl.us>
Sent: Wednesday, March 4, 2020 12:28 PM
To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Subject: [EXTERNAL] Information Update

Good afternoon! We received this letter addressed to a former Secretary. The current Secretary is Kevin Thibault. I thought your staff may want to update their contact information.

Thank you!

Jenniffer Parfitt
Executive Assistant
Secretary's Office
Florida Department of Transportation
605 Suwannee Street, Tallahassee, FL 32399-0450
(850) 414-5206
[Jenniffer.parfitt@dot.state.fl.us](mailto:jenniffer.parfitt@dot.state.fl.us)

Fahey, Shane R

From: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Sent: Friday, March 6, 2020 3:30 PM
To: John Strandberg; Anderson, Brett A; Howalt, Gary K; Fahey, Shane R
Cc: Dix, Kevin W. (CFM); Monohan, Elizabeth J. (CFM); Fernandez, Fernando L. (CFM)
Subject: FW: Receipt of 18 FEB letter re: Site Specific Environmental Assessment for Cape Canaveral National Cemetery

FYI - record.

Fernando L. Fernández REM
Office: 202.632.5529
Cell: 202.876.7608

-----Original Message-----

From: Campbell, John H CIV USARMY CESAJ (US) <John.H.Campbell@usace.army.mil>
Sent: Friday, March 6, 2020 3:00 PM
To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Subject: [EXTERNAL] Receipt of 18 FEB letter re: Site Specific Environmental Assessment for Cape Canaveral National Cemetery

Mr. Fernandez,

Greetings from Jacksonville. I want to drop a quick note to let you know I received the subject letter earlier this week. I'm attempting to find the appropriate POC within our agency who can best provide any needed input.

Please let me know if you have any questions.

Best,

JHC

John H Campbell
Chief, Corporate Communications Office, US Army Corps of Engineers Jacksonville District, Jacksonville, FL
Office: 904-232-1004
Mobile: 904-614-9134
www.saj.usace.army.mil

Fahey, Shane R

From: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Sent: Tuesday, March 10, 2020 3:35 PM
To: Anderson, Brett A; Fahey, Shane R; Howalt, Gary K
Cc: John Strandberg; Dix, Kevin W. (CFM); Fernandez, Fernando L. (CFM)
Subject: FW: Site Specific EA for Cape Canaveral National Cemetery Phase 2: boundary request
Attachments: EA for Cape Canaveral National Cemetery_02182020.pdf

Team, please review the message below and provide a response replying all. Please edit the message to remove this response.

Thank you.

Fernando L. Fernández REM
Office: 202.632.5529
Cell: 202.876.7608

From: Cucinella, Josh <Josh.Cucinella@MyFWC.com>
Sent: Tuesday, March 10, 2020 3:07 PM
To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Cc: Sempsrott, Michelle <Michelle.Sempsrott@MyFWC.com>
Subject: [EXTERNAL] Site Specific EA for Cape Canaveral National Cemetery Phase 2: boundary request

Hello Mr. Fernandez,
Our Office within Florida Fish and Wildlife Conservation Commission previously reviewed this project during an Environmental Resource Permit application in July of 2019 from the St. Johns River Water Management District. I need to determine if the project boundary is the same for this scoping request. Can you please send me a project boundary map of the general project footprint?

Thank you,

Josh Cucinella
Biological Scientist
Office of Conservation Planning Services
Florida Fish and Wildlife Conservation Commission
1239 SW 10th Street
Ocala, Florida 34471
Office: (352) 620-7330
Cell: (386) 867-0028

Fahey, Shane R

From: Daniel Hipes <dhipes@fnai.fsu.edu>
Sent: Wednesday, April 29, 2020 12:00 PM
To: Fahey, Shane R
Subject: Re: Site-Specific Environmental Assessment for Cape Canaveral National Cemetery

Confirming receipt. We have no comments or concerns regarding the CCNC expansion.

Dan Hipes, Director
Florida Natural Areas Inventory
1018 Thomasville Rd.
Tallahassee, FL 32303
850-224-8207 x213
850-509-1857 (cell)
www.fnai.org

From: Fahey, Shane R <sfahey@ESINC.CC>
Sent: Wednesday, April 29, 2020 7:50 AM
To: Daniel Hipes <dhipes@fnai.fsu.edu>
Cc: Anderson, Brett A <banderson@ESINC.CC>
Subject: Site-Specific Environmental Assessment for Cape Canaveral National Cemetery

Dear Mr. Hipes,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida at the following address: 5525 US Highway 1, Mims, Florida 32754. The VA attempted to mail a notification letter to you, Dan Hipes, Director of the Florida Natural Areas Inventory, for comment but the letters failed to be delivered and were returned. The suite number was mistakenly left from the address, causing the failure of receipt. For reference, please see the attached original document sent to the incorrect address.

The VA understands that the Florida Natural Areas Inventory is an entity that should have been consulted during this notice period for the Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the CCNC and asks that you inform the VA with any comments on the proposed project within 30 days from the date on the attached Florida Natural Areas Inventory Stakeholders Letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Thank you for your time.

Best,
Shane Fahey
Environmental Technician II | Jacksonville
Environmental Services, Inc., A Terracon Company
7220 Financial Way, Suite 100 | Jacksonville, Florida 32256
D (904) 470 2200 | F (904) 470 2112 | M (561) 222 3628
sfahey@esinc.cc | www.esinc.cc | terracon.com



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Fahey, Shane R

From: Post, Troy <troy.post@brevardfl.gov>
Sent: Monday, April 27, 2020 4:10 PM
To: Fahey, Shane R
Cc: Anderson, Brett A
Subject: RE: Site-Specific Environmental Assessment for Cape Canaveral National Cemetery

Shane – Thanks for your email; my agency (the North Brevard Economic Development Zone) will review the attachments you sent, and provide you with any comments that staff generate.

As for the EDC of Florida's Space Coast, please note that the organization's new address – they moved their office location in late 2018 – is 6525 3rd Street, Suite #304, Rockledge, FL 32955; their phone number is 321-638-2000. The best contact for the organization is the person who currently serves as president/CEO, Lynda Weatherman.

Frank Abbate is our Brevard County (government) manager, and can be reached at 2725 Judge Fran Jamieson Way, Viera, FL 32940, or at 321-633-2001.

Please let us know if we can be of any further assistance.

Troy

Troy Post

North Brevard Economic Development Zone (NBEDZ)

400 South Street, Suite 1A
Titusville, Florida 32780

www.NBEDZ.org

321-264-5205 (Office)
321-960-1458 (Cell)

From: Fahey, Shane R <sfahey@ESINC.CC>
Sent: Monday, April 27, 2020 2:36 PM
To: Post, Troy <troy.post@brevardfl.gov>
Cc: Anderson, Brett A <banderson@ESINC.CC>
Subject: Site-Specific Environmental Assessment for Cape Canaveral National Cemetery

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Good afternoon Mr. Post,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida at the following address: 5525 US Highway 1, Mims, Florida 32754. The VA attempted to mail a notification letter to Brevard County Economic Development Commission; specifically Frank Abbate, County Manager at 597 Haverty Court, Suite 40 Rockledge FL 32955, for comment but the letters failed to be delivered and were returned. For reference, please see the attached BEDC Stakeholders Letter document as it is the letter that was send to the Brevard County Economic Development Commission.

The VA understands that the North Brevard County Economic Development Zone is an entity that should have been consulted during this notice period for the Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the CCNC, and asks that you inform the VA with any comments on the proposed project within 30 days from the date on the attached North Brevard Economic Development Zone Stakeholders Letter document. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

Additionally, a physical copy of the attached North Brevard Economic Development Zone Stakeholders Letter document will be mailed to 400 South Street Titusville, Florida 32780 for review.

Thank you for your time.

Best,

Shane Fahey

Environmental Technician II | Jacksonville

Environmental Services, Inc., A Terracon Company

7220 Financial Way, Suite 100 | Jacksonville, Florida 32256

D (904) 470 2200 | F (904) 470 2112 | M (561) 222 3628

sfahey@esinc.cc | www.esinc.cc | terracon.com



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Private and confidential as detailed here (www.terracon.com/disclaimer). If you cannot access the hyperlink, please e-mail sender.

Fahey, Shane R

From: EDC President <president@SpacecoastEDC.org>
Sent: Tuesday, April 28, 2020 4:15 PM
To: Fahey, Shane R; EDC President
Cc: Anderson, Brett A
Subject: RE: Site-Specific Environmental Assessment for Cape Canaveral National Cemetery

Der Mr. Fahey: I will forward your email to Ms. Weatherman.

I am providing the correct address for Mr. Frank Abbate:

Mr. Frank Abbate
Brevard County, County Manager
2725 Judge Fran Jamieson Way, Bldg C
Viera, FL 32940-6605

This should enable you to provide him with the letter.

Kind regards,

Kathie Heisey
Executive Assistant
*Economic Development Commission
of Florida's SpaceCoast*
6525 3rd Street
Suite 304
Rockledge, FL 32955
Phone: 321-638-2000
www.SpaceCoastEDC.org



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From: Fahey, Shane R <sfahey@ESINC.CC>
Sent: Tuesday, April 28, 2020 3:50 PM
To: EDC President <president@SpacecoastEDC.org>
Cc: Anderson, Brett A <banderson@ESINC.CC>
Subject: Site-Specific Environmental Assessment for Cape Canaveral National Cemetery

Dear Ms. Weatherman,

The Department of Veterans Affairs (VA) intends to prepare a Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the Cape Canaveral National Cemetery (CCNC) in Mims, Brevard County, Florida at the following

address: 5525 US Highway 1, Mims, Florida 32754. The VA attempted to mail a notification letter to Brevard County Economic Development Commission; specifically, Frank Abbate, County Manager at 597 Haverty Court, Suite 40 Rockledge FL 32955, for comment but the letters failed to be delivered and were returned. For reference, please see the attached BEDC Stakeholders Letter document as it is the letter that was initially send to the Brevard County Economic Development Commission.

The VA understands that the EDC of Florida's Space Coast is an entity that should have been consulted during this notice period for the Site-Specific Environmental Assessment for the proposed Phase 2 expansion of the CCNC and asks that you inform the VA with any comments on the proposed project within 30 days from the date on the attached EDC of Florida's Space Coast Stakeholders Letter. If you would like to comment on the proposed project, please contact Fernando Fernandez at Fernando.Fernandez@va.gov or at (202) 632-5529, or mail comments to Department of Veterans Affairs, 425 I Street Northwest, Suite 6W.317D, Washington D.C., 20420.

In addition to this email, a physical copy of the attached EDC of Florida's Space Coast Stakeholder letter will be mailed to you via certified.

Thank you for your time.

Best,
Shane Fahey
Environmental Technician II | Jacksonville
Environmental Services, Inc., A Terracon Company
7220 Financial Way, Suite 100 | Jacksonville, Florida 32256
D (904) 470 2200 | F (904) 470 2112 | M (561) 222 3628
sfahey@esinc.cc | www.esinc.cc | terracon.com



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Fahey, Shane R

From: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Sent: Friday, May 8, 2020 7:53 AM
To: Anderson, Brett A; Fahey, Shane R; John Strandberg
Cc: Dix, Kevin W. (CFM); Fernandez, Fernando L. (CFM)
Subject: FW: SAI# FL202005018932C

FYI – and Record.

Fernando L. Fernández REM

Office: 202.632.5529

Cell: 202.876.7608

From: State_Clearinghouse <State.Clearinghouse@dep.state.fl.us>
Sent: Friday, May 8, 2020 7:36 AM
To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Subject: [EXTERNAL] SAI# FL202005018932C

To: Fernando Fernandez

Re: Florida State Clearinghouse Project Review

Project SAI#: FL202005018932C

Date Received: 04/24/20

Project Description: DEPARTMENT OF VETERANS AFFAIRS, NATIONAL CEMETERY SYSTEM, SITE-SPECIFIC ENVIRONMENTAL ASSESSMENT - PHASE 2 PROPOSED CONSTRUCTION AND OPERATION OF THE CAPE CANAVERAL NATIONAL CEMETERY MIMS, BREVARD COUNTY, FLORIDA.

The Florida State Clearinghouse has received the above-referenced project and has forwarded it to the appropriate state agencies for review. Please refer to the State Application Identifier (SAI) number in all correspondence with the Florida State Clearinghouse regarding this project. Applicants should expect to receive their State Clearance Letter 30-60 days from the received date. Additional information can be found at http://dep.state.fl.us/secretary/oip/state_clearinghouse/manual2.htm.

Please submit all future project applications and correspondence by email to state.clearinghouse@dep.state.fl.us. If your submittal is too large to send via email or if you need other assistance, contact Chris Stahl at (850) 717-9076.



Fahey, Shane R

From: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Sent: Monday, March 23, 2020 8:32 AM
To: Anderson, Brett A; Howalt, Gary K; Fahey, Shane R
Cc: John Strandberg; Dix, Kevin W. (CFM); Fernandez, Fernando L. (CFM)
Subject: FW: Cape Canaveral National Cemetery Phase II, Brevard Co., FL

FYI – Record.

Fernando L. Fernández REM

Office: 202.632.5529

Cell: 202.876.7608

From: David J. Proctor <djproctor@mcn-nsn.gov>
Sent: Thursday, March 12, 2020 2:34 PM
To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>
Subject: [EXTERNAL] Cape Canaveral National Cemetery Phase II, Brevard Co., FL

Fernando L. Fernandez
Environmental Engineer
U.S. Department of Veterans Affairs
Office of Construction and Facilities Management

Mr. Fernandez:

Thank you for contacting the Muscogee (Creek) Nation concerning the Proposed Cape Canaveral National Cemetery Phase II Project, Mims, Brevard Co., FL. This project is located within our historic area of interest and is of importance to us. After reviewing the material provided, it has been determined that the Muscogee (Creek) Nation has no objections to the proposed project. Please consider this letter as our concurrence to your request and findings of **no historic or traditional cultural properties affected**. However, should cultural material or human remains be encountered during ground disturbance, construction or demolition, we request to be notified. Also, if there are any additional updates, we ask to be informed of these. Should further information or comment be needed, please do not hesitate to contact me at (918) 732-7642 or by email at djproctor@mcn-nsn.gov.

David J. Proctor

Historic and Cultural Preservation Department, Traditional Cultural Advisor
Muscogee (Creek) Nation
P.O. Box 580 / Okmulgee, OK 74447
T 918.732.7642
F 918.758.0649
djproctor@mcn-nsn.gov
<http://www.muscogeenation-nsn.gov/>

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Anderson, Brett A

Subject: FW: State Clearance Letter for FL202005018932C - Phase 2 Proposed Construction and Operation of the Cape Canaveral National Cemetery Mims, Brevard County, Florida

From: Stahl, Chris <Chris.Stahl@dep.state.fl.us>

Sent: Tuesday, June 9, 2020 11:34 AM

To: Fernandez, Fernando L. (CFM) <Fernando.Fernandez@va.gov>

Cc: State_Clearinghouse <State.Clearinghouse@dep.state.fl.us>

Subject: [EXTERNAL] State Clearance Letter for FL202005018932C - Phase 2 Proposed Construction and Operation of the Cape Canaveral National Cemetery Mims, Brevard County, Florida

June 9, 2020

Fernando Fernandez
U.S. Department of Veterans Affairs
425 I Street Northwest
Washington, DC 20420

RE: Department of Veterans Affairs, National Cemetery System, Site-Specific Environmental Assessment – Phase 2 Proposed Construction and Operation of the Cape Canaveral National Cemetery Mims, Brevard County, Florida
SAI # FL202005018932C

Dear Fernando:

Florida State Clearinghouse staff has reviewed the proposal under the following authorities: Presidential Executive Order 12372; § 403.061(42), Florida Statutes; the Coastal Zone Management Act, 16 U.S.C. §§ 1451-1464, as amended; and the National Environmental Policy Act, 42 U.S.C. §§ 4321-4347, as amended.

The proposed project appears to require: an Environmental Resource Permit (ERP), a DEP Drinking Water Permit, NPDES Stormwater permit and may require a Dewatering permit.

If prehistoric or historic artifacts, such as pottery or ceramics, projectile points, dugout canoes, metal implements, historic building materials, or any other physical remains that could be associated with Native American, early European, or American settlement are encountered at any time within the project site area, the permitted project shall cease all activities involving subsurface disturbance in the vicinity of the discovery. The applicant shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850)-245-6333. Project activities shall not resume without verbal and/or written authorization. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes. If you have any questions, please contact Mercedes Harrold, Historic Preservationist, by email at Mercedes.Harrold@dos.myflorida.com, or by telephone at 850.245.6342 or 800.847.7278.

Based on the information submitted and minimal project impacts, the state has no objections to the subject project and, therefore, the funding award is consistent with the Florida Coastal Management Program (FCMP). The state's final concurrence of the project's consistency with the FCMP will be determined during any environmental permitting processes, in accordance with Section 373.428, Florida Statutes, if applicable.

Thank you for the opportunity to review the proposed plan. If you have any questions or need further assistance, please don't hesitate to contact me at (850) 717-9076.

Sincerely,

Chris Stahl

Chris Stahl, Coordinator
Florida State Clearinghouse
Florida Department of Environmental Protection
3800 Commonwealth Blvd., M.S. 47
Tallahassee, FL 32399-2400
ph. (850) 717-9076
State.Clearinghouse@floridadep.gov



Appendix E:

Stakeholder, NEPA and Section 106 Notification Tracker

	Initial Invitation to Comment			Notice of Availability Notification			Returned Mail Re-Send Event		
Stakeholder	Date Sent	Date Recieved	Comments?	Date Sent	Date Received	Comments?	Date Re-Notified	Date Received	Comments?
USFWS	2/18/2020	3/2/2020	No	4/2/2020	4/20/2020	No	N/A	N/A	N/A
USEPA	2/18/2020	3/3/2020	No	4/2/2020	4/21/2020	No	N/A	N/A	N/A
USACOE Cocoa	2/18/2020	3/4/2020	No	4/2/2020	4/17/2020	No	N/A	N/A	N/A
USACOE Jacksonville	2/18/2020	3/2/2020	Yes (3/06/20)	4/2/2020	4/17/2020	No	N/A	N/A	N/A
SHPO	2/18/2020	3/10/2020	Yes (4/09/20)	4/2/2020	4/21/2020	No	N/A	N/A	N/A
BCPA	2/18/2020	Received n.d. (3/02/20 stamp)	No	4/2/2020	Unknown	No	N/A	N/A	N/A
BCFR	2/18/2020	3/2/2020	Yes (3/05/20)	4/2/2020	4/17/2020	No	N/A	N/A	N/A
BCPDD	2/18/2020	3/2/2020	No	4/2/2020	4/17/2020	No	N/A	N/A	N/A
BCNRD	2/18/2020	3/2/2020	No	4/2/2020	4/17/2020	No	N/A	N/A	N/A
BCPW	2/18/2020	3/2/2020	Yes (3/04/20)	4/2/2020	4/21/2020	No	N/A	N/A	N/A
BCED	2/18/2020	3/12/2020	No	4/2/2020	Returned to Sender	No	N/A	N/A	N/A
BCDPR	2/18/2020	3/2/2020	No	4/2/2020	4/17/2020	No	N/A	N/A	N/A
BCHD	2/18/2020	3/12/2020	No	4/2/2020	4/17/2020	NO	N/A	N/A	N/A
EDCFSC	N/A	N/A	N/A	N/A	N/A	N/A	4/28/2020 (EMAIL)	4/28/2020 (EMAIL)	No
NBEDZ	N/A	N/A	N/A	N/A	N/A	N/A	4/27/2020 (EMAIL)	4/27/2020 (EMAIL)	No
FWC	2/18/2020	3/2/2020	Yes (3/10/20)	4/2/2020	4/17/2020	No	N/A	N/A	N/A
FFWCC	2/18/2020	3/3/2020	No	4/2/2020	4/21/2020	No	N/A	N/A	N/A
FDEP	2/18/2020	Received n.d.	No	4/2/2020	Received n.d.(04/20/20 stamp)		N/A	N/A	N/A
FDEP Coastal Management Program	2/18/2020	Received n.d.	No	4/2/2020	Received n.d.(04/20/20 stamp)	No	N/A	N/A	N/A
FDOT	2/18/2020	3/3/2020	Yes (3/04/20)	4/2/2020	4/21/2020	No	N/A	N/A	N/A
FNAI	2/18/2020	3/16/2020	No	4/2/2020	Returned to Sender	No	4/29/2020 (EMAIL)	4/29/2020 (EMAIL)	No
SJRWMD Palm Bay	2/18/2020	Received n.d.	No	4/2/2020	4/17/2020	No	N/A	N/A	N/A
SJRWMD Palatka	2/18/2020	Received n.d.	No	4/2/2020	4/17/2020	No	N/A	N/A	N/A

	Initial Invitation to Comment			Notice of Availability Notification		
Native American Tribes	Date Sent	Date Recieved	Comments?	Date Sent	Date Received	Comments?
Coushatta Tribe of Louisiana	2/18/2020	3/9/2020	No	4/2/2020	4/22/2020	No
Miccosukee Tribe of Indiana	2/18/2020	3/30/2020	No	4/2/2020	Unknown	No
Muscogee Nation of Florida	2/18/2020	Received n.d.	Yes (3/12/20)	4/2/2020	4/20/2020	No
Poarch Band of Creek Indians of Alabama	2/18/2020	3/2/2020	No	4/2/2020	Unknown	No
Ponca Tribe of Nebraska	2/18/2020	3/2/2020	No	4/2/2020	4/20/2020	No
Seminole Tribe of Florida	2/18/2020	3/25/2020	No	4/2/2020	4/17/2020	No

Appendix F:

ACOE Permit and Phase 2 Resource Avoidance Report



**DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
COCOA PERMITS OFFICE
400 HIGH POINT DRIVE, SUITE 600
COCOA, FLORIDA 32926**

January 27, 2020

Regulatory Division
North Permits Branch
Cocoa Permits Section
SAJ-2010-02735 (NPR-CMM)

Mr. Fernando Fernandez
Department of Veteran's Affairs
425 I Street NW
Washington DC 20001

Mr. Fernandez,

Reference is made to the application for a Department of the Army (DA) permit for a Jurisdictional Determination. The proposed project site is located at 5525 US Highway 1, in Section 54, Township 20 South, Range 34 East, Mims, Brevard County, Florida. The application has been assigned the file number SAJ-2010-02735. The evaluation of this jurisdictional determination involved many factors and may have included a field visit, review of aerial photographs, geological quad sheets, county soils maps, and site specific information provided by you. A copy of the approved jurisdictional determination form and depiction of the geographic extent of Federal jurisdiction are enclosed. A Department of the Army permit may be required for work in areas identified as waters of the United States.

This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the South Atlantic Division Office at the following address:

Mr. Phillip A. Shannin
South Atlantic Division
U.S. Army Corps of Engineers
CESAD-CM-CO-R, Room 9M15
60 Forsyth St., SW.
Atlanta, Georgia 30303-8801.

Mr. Shannin can be reached by telephone number at 404-562-5136, or by facsimile at 404-562-5138.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the above address by **March 27th, 2020**. It is not necessary to submit a RFA form to the Division Office if you do not object to the determination in this letter.

The determination shown on the enclosed information represents the upland/wetland boundary for purposes of determining the Corps jurisdictional line. As depicted on the enclosed drawings, the property encompasses waters of the United States, which are not subject to regulation by the Corps. Please be advised that the jurisdictional determination shown is based on the Corps of Engineers Wetlands Delineation Manual (1987) or current regional supplement, and is valid for a period no longer than 5 years from the date of this letter unless new information warrants a revision of the determination before the expiration date. If, after the 5-year period, the Corps has not specifically revalidated this jurisdictional determination, it shall automatically expire. Any reliance upon this jurisdictional determination beyond the expiration date may lead to possible violation of current Federal laws and/or regulations. You may request revalidation of the jurisdictional determination prior to the expiration date. Any revalidation or updating will be considered under the method of jurisdictional determination and other applicable regulations in use at the time of the request. Additionally, this determination has been based on information provided by you or your agent; should we determine that the information was incomplete or erroneous this delineation would be invalid.

This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

You are cautioned that work performed below the mean high water line or ordinary high water line in waters of the United States; and/or, the discharge of dredged or fill material into any areas identified on the enclosed information as within Federal jurisdiction, without a Department of the Army permit could subject you to enforcement action. Receipt of a permit from the Department of Environmental Protection or the Water Management District does not obviate the requirement for obtaining a Department of the Army permit.

The Corps' Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to visit http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Please be aware this Internet address is case sensitive and should be entered as it appears above.

Thank you for your cooperation with our permit program. If you have any questions concerning this matter please contact Corey Maier by mail at the letterhead address, by electronic mail at corey.m.maier@usace.army.mil, or by telephone at 321-504-3771.

Sincerely,

PALMER.JOHN.C.
1364675034

Digitally signed by
PALMER.JOHN.C.1364675034
Date: 2020.01.27 17:20:13 -05'00'

for Shawn H. Zinszer
Chief, Regulatory Division

Enclosures

cc: (w/o encls)

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Fernando Fernandez		File Number: SAJ-2010-02735	Date: 20200127
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
	PERMIT DENIAL	C	
X	APPROVED JURISDICTIONAL DETERMINATION	D	
	PRELIMINARY JURISDICTIONAL DETERMINATION	E	

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- *ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.*
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- *ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.*
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- *ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.*
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Project Manager as noted in letter

If you only have questions regarding the appeal process you may also contact:

**Mr. Phillip A. Shannin
404-562-5136**

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I – BACKGROUND INFORMATION:

- A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):
- B. DISTRICT OFFICE, FILE NAME, AND NUMBER: **CESAJ-NC, Department of Veterans Affairs, SAJ-2010-02735**
- C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **Florida** County/parish/borough: **Brevard** City: **Mims**
Center coordinates of site (lat/long in degree decimal format) – Latitude: **28.76006°** Longitude: **80.8646°**
Universal Transverse Mercator:

Name of nearest waterbody: **Big Flounder Creek ditch**

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: **Indian River**

Name of watershed or Hydrologic Unit Code (HUC): **East Florida Coastal, #03080202**

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

- D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☐ Office (Desk) Determination Date:

☒ Field Determination Date(s): 16 September 2010, 03 October 2019

SECTION II – SUMMARY OF FINDINGS:

- A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are No** “*navigable waters of the U.S.*” within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

☐ Waters subject to the ebb and flow of the tide

☐ Waters are presently used, have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain:

- B. CWA SECTION 404 DETERMINATION OF JURISDICTION

There **Are No** “*waters of the U.S.*” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

- a. Indicate presence of waters of U.S. in review area (check all that apply):¹

- ☐ TNWs, including territorial seas
☐ Wetlands adjacent to TNWs
☐ Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs
☐ Non-RPWs that flow directly or indirectly into TNWs
☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
☐ Impoundments of jurisdictional waters
☐ Isolated (interstate or intrastate) waters, including isolated wetlands

- b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet: width (ft) and/or acres
Wetlands: acres

- c. Limits (boundaries) of jurisdiction based on: **Pick List**
Elevation of established OHWM (if known):

2. Non-regulated waters/wetlands (check if applicable):³

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least “seasonally” (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

- ☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: **The site contains three non-jurisdictional ditches. While some portions of the ditches are incised into the groundwater table, the discharge points for Ditches 2 and 3 are very high and appear to preclude seasonal flow. Ditch 1 has a fabriform weir at the southeast corner of the property which also precludes seasonal discharge.**

SECTION III – CWA ANALYSIS:

A. TNWs AND WETLANDS ADJACENT TO TNWs

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. Identify TNW:

Summarize rationale supporting determination:

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is “adjacent”:

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under Rapanos have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are “relatively permanent waters” (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW

(i) General Area Conditions:

Watershed size: Pick List

Drainage area: Pick List

Average annual rainfall: **55** inches

Average annual snowfall: inches

(ii) Physical Characteristics:

(a) Relationship with TNW:

☐ Tributary flows directly into TNW.

☒ Tributary flows through **2** tributaries before entering TNW.

Project waters are **1-2** river miles from TNW.

Project waters are **1 (or less)** river miles from RPW.

Project waters are **1 (or less)** aerial (straight) miles from TNW.

Project waters are **1 (or less)** aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain:

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

Identify flow route to TNW⁵:

Tributary stream order, if known: .

(b) General Tributary Characteristics (check all that apply):

Tributary is: ☐ Natural

☒ Artificial (man-made). Explain: **Man Made Ditches**

☐ Manipulated (man-altered). Explain:

Tributary properties with respect to top of bank (estimate):

Average width: **20** feet

Average depth: **5** feet

Average side slopes: **3:1**

Primary tributary substrate composition (check all that apply):

☐ Silts

☐ Sands

☐ Concrete

☐ Cobbles

☐ Gravel

☐ Muck

☐ Bedrock

☒ Vegetation Type/% cover: **100**

☐ Other – Explain:

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain:

Presence of run/riffle/pool complexes. Explain:

Tributary geometry: **Relatively Straight**

Tributary gradient (approximate average slope): %

(c) Flow:

Tributary provides for: **Ephemeral Flow**

Estimate average number of flow events in review area/year: **1**

Describe flow regime: **Only during extreme events.**

Other information on duration and volume:

Surface flow is: **Confined**. Characteristics:

Subsurface flow: **Pick List**. Explain findings:

☐ Dye (or other) test performed:

Tributary has (check all that apply):

☐ Bed and banks

☐ OHWM⁶ (check all indicators that apply):

☐ clear, natural line impressed on the bank

☐ changes in the character of soil

☐ shelving

☐ vegetation matted down, bent, or absent

☐ leaf litter disturbed or washed away

☐ sediment deposition

☐ water staining

☐ other (list):

☐ the presence of litter and debris

☐ destruction of terrestrial vegetation

☐ the presence of wrack line

☐ sediment sorting

☐ scour

☐ multiple observed or predicted flow events

☐ abrupt change in plant community

☐ Discontinuous OHWM.⁷ Explain:

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

☒ High Tide Line indicated by:

☐ oil or scum line along shore objects

☐ fine shell or debris deposits (foreshore)

☐ physical markings/characteristics

☐ tidal gauges

☐ other (list):

☐ Mean High Water Mark indicated by:

☐ survey to available datum;

☐ physical markings;

☐ vegetation lines/changes in vegetation types.

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain:

Identify specific pollutants, if known:

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

⁶ A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷ Ibid.

(iv) Biological Characteristics. Channel supports (check all that apply):

- ☐ Riparian corridor. Characteristics (type, average width):
- ☐ Wetland fringe. Characteristics:
- ☐ Habitat for:
 - ☐ Federally Listed species. Explain findings:
 - ☐ Fish/spawn areas. Explain findings:
 - ☐ Other environmentally-sensitive species. Explain findings:
 - ☐ Aquatic/wildlife diversity. Explain findings:

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) General Wetland Characteristics:

Properties:

Wetland size: acres

Wetland type. Explain:

Wetland quality. Explain:

Project wetlands cross or serve as state boundaries. Explain: .

(b) General Flow Relationship with Non-TNW:

Flow is: Pick List. Explain:

Surface flow is: Pick List

Characteristics:

Subsurface flow: Pick List. Explain findings:

☐ Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:

- ☐ Directly abutting
- ☐ Not directly abutting
 - ☐ Discrete wetland hydrologic connection. Explain:
 - ☐ Ecological connection. Explain:
 - ☐ Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW

Project wetlands are Pick List river miles from TNW.

Project waters are Pick List aerial (straight) miles from TNW.

Flow is from: Pick List.

Estimate approximate location of wetland as within the Pick List floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain:

Identify specific pollutants, if known:

(iii) Biological Characteristics. Wetland supports (check all that apply):

- ☐ Riparian buffer. Characteristics (type, average width):
- ☐ Vegetation type/percent cover. Explain:
- ☐ Habitat for:
 - ☐ Federally Listed species. Explain findings:
 - ☐ Fish/spawn areas. Explain findings:
 - ☐ Other environmentally-sensitive species. Explain findings:
 - ☐ Aquatic/wildlife diversity. Explain findings:

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis: Pick List

Approximately () acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)

Size (in acres)

Directly abuts? (Y/N)

Size (in acres)

Summarize overall biological, chemical and physical functions being performed:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical, and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
2. Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:
3. Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW. Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS – THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. TNWs and Adjacent Wetlands. Check all that apply and provide size estimates in review area:

- ☐ TNWs: linear feet width (ft), Or, acres
- ☐ Wetlands adjacent to TNWs: acres

2. RPWs that flow directly or indirectly into TNWs.

- ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:
- ☐ Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet width (ft)
- ☐ Other non-wetland waters: acres

Identify type(s) of waters:

3. Non-RPWs⁸ that flow directly or indirectly into TNWs.

⁸See Footnote # 3.

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - ☐ Prior to the Jan 2001 Supreme Court decision in “*SWANCC*,” the review area would have been regulated based solely on the “Migratory Bird Rule” (MBR).
- ☐ Waters do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction. Explain: .
- ☐ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft)
- ☐ Lakes/ponds: acres
- ☐ Other non-wetland waters: acres. List type of aquatic resource:
- ☐ Wetlands: acres

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction (check all that apply):

- ☒ Non-wetland waters (i.e., rivers, streams): **13,000** linear feet, width (ft)
- ☐ Lakes/ponds: acres
- ☐ Other non-wetland waters: acres. List type of aquatic resource:
- ☐ Wetlands: acres

SECTION IV – DATA SOURCES:

A. SUPPORTING DATA: Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
- ☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - ☐ Office concurs with data sheets/delineation report.
 - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps:
- ☐ Corps navigable waters’ study:
- ☒ U.S. Geological Survey Hydrologic Atlas:
 - ☐ USGS NHD data
 - ☒ USGS 8 and 12 digit HUC maps
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: **Oak Hill**
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
- ☐ National wetlands inventory map(s). Cite name:
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☐ Aerial (Name & Date):
or ☐ Other (Name & Date):
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☐ Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD:

- ☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

☐ Tributary waters: linear feet width (ft)

☐ Other non-wetland waters: acres

Identify type(s) of waters:

4. Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.

☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.

☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally". Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

Provide acreage estimates for jurisdictional wetlands in the review area: acres

5. Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.

☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.

☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres

7. Impoundments of jurisdictional waters.⁹

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

☐ Demonstrate that impoundment was created from "waters of the U.S.," or

☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or

☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.

☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.

☐ which are or could be used for industrial purposes by industries in interstate commerce.

☐ Interstate isolated waters. Explain:

☐ Other factors. Explain:

Identify water body and summarize rationale supporting determination:

Provide estimates for jurisdictional waters in the review area (check all that apply):

☐ Tributary waters: linear feet width (ft)

☐ Other non-wetland waters: acres

Identify type(s) of waters:

☐ Wetlands: acres

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

⁹ To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

¹⁰ Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
 - ☐ Prior to the Jan 2001 Supreme Court decision in “*SWANCC*,” the review area would have been regulated based solely on the “Migratory Bird Rule” (MBR).
- ☐ Waters do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction. Explain: .
- ☐ Other: (explain, if not covered above): .

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft)
- ☐ Lakes/ponds: acres
- ☐ Other non-wetland waters: acres. List type of aquatic resource:
- ☐ Wetlands: acres

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction (check all that apply):

- ☒ Non-wetland waters (i.e., rivers, streams): **13,000** linear feet, width (ft)
- ☐ Lakes/ponds: acres
- ☐ Other non-wetland waters: acres. List type of aquatic resource:
- ☐ Wetlands: acres

SECTION IV – DATA SOURCES:

A. SUPPORTING DATA: Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:
- ☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - ☐ Office concurs with data sheets/delineation report.
 - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps:
- ☐ Corps navigable waters’ study:
- ☒ U.S. Geological Survey Hydrologic Atlas:
 - ☐ USGS NHD data
 - ☒ USGS 8 and 12 digit HUC maps
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: **Oak Hill**
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
- ☐ National wetlands inventory map(s). Cite name:
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☐ Aerial (Name & Date):
or ☐ Other (Name & Date):
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☐ Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD:

POND 5
4.75 AC

SECTION 27

PPC BURIALS
2,305

SECTION 21

PPC BURIALS
2,706

SECTION 20

PPC BURIALS
2,459

22

4X4
993

SE 23

4X4
992

19

4X4
444

18

4X4
861

17

4X4
800

16

4X4



Ditches 1, 2 + 3 are not within Corps jurisdiction

1N



Soil Map—Brevard County, Florida
(Roger Smith)



Map Scale: 1:11,500 if printed on A size (8.5" x 11") sheet.



RESOURCE AVOIDANCE REPORT

**CAPE CANAVERAL NATIONAL CEMETERY – PHASE 2 CEMETERY EXPANSION
BREVARD COUNTY, FLORIDA**

OCTOBER 2019

For

**U.S. Department of Veteran Affairs Attn: Mr. Kevin Dix, PE
VACFM National Region PM
425 I Street, NW
Room 6W.417B
Washington, DC 20001**

HK197321



**Environmental Services, Inc., A Terracon Company
7220 Financial Way, Suite 100
Jacksonville, Florida 32256**

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1. INTRODUCTION

This Resource Avoidance Report (RAR) has been prepared by Environmental Services Inc., a Terracon Company (ESI), for the U.S. Department of Veterans Affairs (VA) Phase 2 cemetery expansion of the Cape Canaveral National Cemetery (CCNC), located at 5525 US 1, Scottsmeer, Florida, 32754. More specifically, this phase is located within Section 54, Township 20 south, and Range 34 east at the approximate central coordinates of 28.7599° north latitude and 80.8643° west longitude in Brevard County, Florida (Figure 1). The proposed expansion will include new burial capacity and other physical infrastructure to be developed in an effort to extend the longevity of CCNC for Veterans and their eligible family members in central Florida.

In 2012, a National Environmental Policy Act (NEPA) Environmental Assessment (EA) was prepared for the entirety of the CCNC project (approximately 318 acres). Multiple alternatives were reviewed as part of this EA. Ultimately, it was determined that each alternative would result in a Finding of No Significant Impact (FONSI). In 2014, a site-specific Environmental Assessment (SEA) was prepared for the Scottsmeer site based on the final master plan design, including Phase I. The SEA also found that no significant direct, indirect, or cumulative adverse effect on the local environment or quality of life would be associated with the implementation the cemetery. Construction of the cemetery began in 2015.

On 16 October 2018, a kick off meeting was held for the initiation of the proposed Phase 2 Expansion north and east of the existing Phase 1. Accordingly, a SEA is being prepared to analyze and evaluate the potential effects of the implementation of the Phase 2 Construction.

The purpose of this RAR is to identify the natural and physical site resources within the proposed expansion area. The study area for the proposed expansion area is approximately 52 acres.

2. RESOURCE ANALYSIS

2.1 Wetlands and Waters of the U.S.

The U.S. Army Corps of Engineers (ACOE) has regulatory jurisdiction over Waters of the United States, including wetlands pursuant to Section 404 of the Clean Water Act and Navigable Waters of the United States pursuant to Section 10 of the 1899 Rivers and Harbors Act. Jurisdictional wetlands are delineated based upon the presence of hydric soils, hydrologic indicators, and hydrophytic vegetation in accordance with the *Regional Supplement to the Corps of Engineers Wetlands Delineation Manual for the Atlantic and Gulf Coastal Plain Region* (USACE 2010).

On 20 September 2010, the Cocoa Permits Section of ACOE issued an Approved Jurisdictional Determination for the property comprising all of Phase 2. The permit number was SAJ-2010-02735 (JD-JSC) and was issued to First Equity Development Group, Inc., the previous landowner. The approved jurisdictional determination found that no wetlands were present within the project boundary and the ditches on-site do not constitute Waters of the U.S. Specifically, the site contained three ditches, but the due to the elevation of the

discharge points and control structures along the ditches, seasonal discharge is precluded and therefore they do not meet the federal definition of a jurisdictional water body. A copy of this determination is included with this RAR.

The jurisdictional determination was valid for five years and has since expired. ESI reviewed the property on 3 October 2019 and determined conditions on-site have not changed in regards to jurisdictional wetlands, and it is not anticipated ACOE will claim jurisdiction over any areas within the Phase 2 boundary. In October 2019, ESI has contacted the ACOE Cocoa Permits Section to re-evaluate and re-issue the previous jurisdictional determination. At the time of completion of this RAR, ESI has not received confirmation from the ACOE Cocoa Permits Section.

2.2 Floodplains

Upon review of the available Federal Emergency Management Agency (FEMA) Flood Zone Maps (Figure 4), the entirety of the study area is outside of both the 100 and 500-year floodplains. No further action will be required.

2.3 Cultural Resources

In May 2012, ESI reviewed the entire 318-acre CCNC property as part of the overall NEPA EA process. Based on the review, ESI found one previously unrecorded archaeological site (8BR2937) within the project area during the investigation. The unrecorded site was determined to be a low-density historic refuse site that did not warrant listing in the National Register of Historic Places. ESI recommended no further investigation of the parcel. This information was provided to the State of Florida's Division of Historical Resources (SHPO) in August 2012 and SHPO concurred with ESI's recommendations in official correspondence dated 4 December 2012. A copy of this letter is included with this RAR.

For all federally proposed actions, federal agencies are required to consult with federally recognized Native American Tribes in accordance with NEPA regulations. Based on ESI's 2012 review, no indications of any Native American sacred places are known to exist within the study area. As part of the Phase 2 SEA, all applicable federally-recognized Native American tribes will be consulted as part of the NEPA process. As part of the public outreach effort, letters will be disseminated to these Native American tribes to solicit their interest in the proposed action.

2.4 Karst Topography, Sinkholes, and Depressions

Sinkholes are common where the subsurface rock formations are comprised of limestone, carbonate rock, or other surface that can dissolved by groundwater. According to the Florida Department of Environmental Protection (FDEP), no known sinkholes or karst topography is present within the boundary of Phase II. FDEP indicates the project area falls within "Area 2", which is defined as "*Few sinkholes, shallow and small diameter that develop gradually*". Additionally, a geotechnical investigation involving subsurface

borings and test pits within the Phase II portion of the property was conducted in March 2019. No karst or sinkholes were identified. A copy of the geotechnical report has been included with this report.

2.5 Soils

The *Soil Survey of Brevard County, Florida* (U.S. Department of Agriculture, Soil Conservation Service) identifies five soil types within the Phase 2 project boundary (Figure 5). The soils map appears to be somewhat accurate based upon field observations, although both historic and recent land activities have altered soil properties to some degree. A description of the soil types can be found below:

Copeland-Bradenton-Wabasso Complex, limestone substratum (16). This soil is nearly level, and very poorly drained. This complex is a mixture of Copeland, Bradenton, and Wabasso soils that are so intermixed that it is not logical to separate them in a map. This soil complex consists of beds of sandy and loamy marine sediments over limestone, which typically can be found at a depth of 30 inches. The water table of this soil is typically within 10 inches of the surface for around six months out of the year and within 10 to 30 inches for the remainder. The Copeland and Bradenton components are generally meet the criteria for hydric soils, with the Wabasso component not meeting the hydric soil criteria.

Riviera Sand, 0 to 2 Percent Slopes (19). This soil has a slope between 0 to 2 percent and is poorly drained. The parent material consists of sandy and loamy marine deposits with a water table typically within 3 to 18 inches deep. This is generally meet hydric soil criteria.

Myakka Sand, 0 to 2 Percent Slopes (36). This soil type has slopes between 0 to 2 percent and is poorly drained. Myakka sand consists of parent materials of sandy marine deposits and can be found within flatwoods on marine terraces. The water table is typically within 6 to 18 inches in depth, and this soil does not generally meet the criteria of a hydric soil.

Pompano Sand, 0 to 2 Percent Slopes (51). Pompano sand is a poorly drained soil with slopes between 0 to 2 percent. The parent material consists of sandy marine deposits and can typically be located in drainageways on flats of marine terraces. The water table can typically be found between 3 to 18 inches in depth and after heavy rains may have flooding for around 2 to 7 days. This soil generally meets hydric soil criteria.

Wabasso Sand, 0 to 2 Percent Slopes (71). Wabasso sand is a nearly level, poorly drained sandy soil with slopes between 0 to 2 percent. This soil can be located in the broad areas of flatwoods and the low ridges of floodplains. This soil has parent materials of sandy and loamy marine deposits. The water table can be found between 6 to 18 inches throughout the year with potential for short term flooding after heavy rains. Generally, Wabasso sand does not meet the hydric soil criteria.

2.6 Land Use and Vegetative Cover

This phase consists of five generalized community types or land uses (Figure 6). A breakdown of each community found on-site, as defined by both the Florida Land Use, and Forms Classification System (FLUCFCS) can be found below.

Cemeteries (FLUCFCS 148). Approximately 12.19 acres of the Phase 2 section can be classified as cemetery. This is an improved, mowed, and maintained area on the southern extent of the phase.

Mixed Rangeland (FLUCFCS 330). The majority of Phase 2 (29.67 acres) can be classified as mixed rangeland. It is located in the central and western portions of the property north of the main east-west roadway bisecting the Phase. No significant canopy species are present. The shrub strata consisted of scattered slash pine (*Pinus elliottii*), saltbush (*Baccharis halimifolia*), and wax myrtle (*Morella cerifera*). The herbaceous layer was dominated by opportunistic species including cogon grass (*Imperata cylindrica*), thistle (*Cirsium horridulum*), black berry (*Rubus sp.*), chalky bluestem (*Andropogon capillipes*), ragweed (*Ambrosia artemisiifolia*), dog fennel (*Eupatorium sp.*), dollar weed (*Hydrocotyle sp.*), golden rod (*Solidago sp.*), and Spanish needles (*Bidens sp.*)

Streams and Waterways (FLUCFCS 510). A vegetated ditch approximately 0.62 acres in size runs north-south between the northern Phase boundary and the main east-west roadway bisecting the phase. There is no outfall to the north of the phase, and it appears the ditch drains into the permitted stormwater system at the southern terminus of the ditch. The vegetation within the ditch is composed canopy species including slash pine, and cabbage palm (*Sabal palmetto*), with sub canopy species of brazilian pepper (*Schinus terebinthifolius*), and wax myrtle. The herbaceous layer was scarce with primrose willow (*Ludwegia sp.*), and cana lilly (*Canna sp.*) located near the ends of the ditch.

Reservoirs (FLUCFCS 530). A storm water retention area associated with the cemetery development has already been constructed within the Phase 2 footprint. It is approximately 6.21 acres in size and located in the eastern portion of the project footprint.

Roads and Highways (FLUCFCS 814). Approximately 3.62 acres of paved and dirt roads traverse the Phase 2 footprint allowing access to the northern and eastern portions of the property.

2.7 Wildlife

Consultation with both state and federal agencies regarding protected wildlife on-site at CCNC occurred between 2012 and 2014 as part of the NEPA EA and SEA reviews. It was determined the project would have minimal impact to biological resources, and site wide issues were addressed. For Phase 2, ESI initiated a wildlife review with a literature search of the listed species known to occur in this portion of Brevard County, Florida. The literature consulted included lists supplied by the Florida Fish and Wildlife Conservation Commission (FWC), the U.S. Fish and Wildlife Service (FWS), and the Florida Natural

Areas Inventory (FNAI) along with technical publications and field guides. Based on this information, and knowledge of the specific habitat requirements for the individual listed species, the probability of each species occurrence on the site was considered.

ESI performed a field review of Phase 2 of CCNC on 3 October 2019. No state or federally protected species were noted utilizing the Phase 2 portion of the property. During ESI's site visit, multiple non-protected species were observed including black vulture (*Coragyps atratus*), northern cardinal (*Cardinalis cardinalis*), American white ibis (*Eudocimus albus*), killdeer (*Charadrius vociferus*), osprey (*Pandion haliaetus*), and various songbirds.

Table 1 below is a comprehensive list of all known state and federally protected wildlife species known to occur in Brevard County. For each species, the table indicates whether habitat is present for the species on-site, and whether the species was noted on the property by ESI during the wildlife review. More information is provided for any species with potential habitat on-site.

Wading Birds. The species with the most potential to utilize this property are wading birds including the Wood Stork (*Mycteria americana*), Roseate Spoonbill (*Platalea ajaja*), Reddish Egret (*Egretta rufescens*), Tricolored Heron (*Egretta tricolor*), and Little Blue Heron (*Egretta caerulea*) due to the existing stormwater reservoir on the eastern portion of the study area, and the additional storm water reservoirs outside the study area. The stormwater reservoirs offer foraging opportunity for these species, but the mowed and maintained littoral fringes of the pond do not provide nesting habitat. There is potential for these species to utilize the property in a transient fashion, but permanent roosting is unlikely. The complete development of Phase 2 will be a net benefit to these species as additional foraging habitat will be created through the construction of an additional stormwater treatment reservoir.

The wood stork is the sole federally protected wading bird species known to occur within Brevard County. Phase 2 of CCNC is partially within the defined Core Foraging Area (CFA) of the Orlando Wetlands Park wood stork rookery (Figure 3). ESI has reviewed the FWS Wood Stork Determination Key to determine whether the proposed action will detrimentally impact the species. Based on the key, the project is "Not Likely to Adversely Affect" the species.

Table 1 - Comprehensive List of Endangered and Threatened Species - Brevard, Florida (Source: FWC, FNAI, and USFWS)						
Common Name	Scientific Name	Federal Status*	State Status*	Habitat Typically Utilized By Species	Habitat Present?	Observed on site?
Lewton's Polygala	<i>Polygala lewtonii</i>	E	FE	Oak scrub and high pine, and transitional areas between these community types	No	No
Carter's Mustard	<i>Warea carteri</i>	E	FE	Sandhill, scrubby flatwoods, inland and coastal scrub	No	No
Piping Plover	<i>Charadrius melodus</i>	T	FT	Open sandy beaches and on tidal mudflats and sandflats	No	No
Red-Cockaded Woodpecker	<i>Picoides borealis</i>	E	FE	Open, mature pine woodlands	No	No
Piping Plover	<i>Charadrius melodus</i>	T	FT	Open sandy beaches and on tidal mudflats and sandflats	No	No
Audobon's Crested Caracara	<i>Polyborus plancus audobonii</i>	T	FT	Open country, including dry prairie, pasture lands with cabbage palm/live oak hammocks and shallow sloughs	Marginal	No
Wood Stork	<i>Mycteria americana</i>	T	FT	Freshwater and estuarine wetlands, freshwater marshes, tidal creeks	Marginal	No
Florida Scrub-jay	<i>Aphelocoma coerulescens</i>	T	FT	Fire-dominated, low-growing oak scrub found on well-drained sandy soils	Marginal	No
Florida Burrowing Owl	<i>Athene cunicularia floridana</i>	-	ST	Dry prairie and sandhill, high, sparsely vegetated, sandy ground	Marginal	No
Roseate Spoonbill	<i>Platalea ajaja</i>	-	ST	Salt and freshwater marshes and sloughs, and marine tidal flats and ponds	Marginal	No
Reddish Egret	<i>Egretta rufescens</i>	-	ST	Coastal habitats with shallow water foraging grounds	Marginal	No
Tricolored Heron	<i>Egretta tricolor</i>	-	ST	Forested and open water wetlands, streams, lakes, and swamps	Marginal	No
Little Blue Heron	<i>Egretta caerulea</i>	-	ST	Shallow freshwater lakes, marshes, swamps and streams	Marginal	No
American Oystercatcher	<i>Haematopus palliatus</i>	-	ST	Large areas of beach, sandbar, mud flat, and shellfish beds	No	No
Black Skimmer	<i>Rynchops niger</i>	-	ST	Coastal waters, beaches, bays, estuaries, sandbars, tidal creeks and inland waters including large lakes and flooded agricultural fields	No	No
Florida Sandhill Crane	<i>Grus canadensis</i>	-	ST	Prairies, freshwater marshes, and pasture lands	Marginal	Yes
Least Tern	<i>Sternula antillarum</i>	-	ST	Coastal areas, beaches, lagoons, bays, and estuaries	No	No
Gopher Tortoise	<i>Gopherus polyphemus</i>	C	ST	Dry upland habitats; also disturbed habitats such as pastures, oldfields, and road shoulders	Marginal	No
Florida Pine Snake	<i>Pituophis melanoleucus migitus</i>	-	ST	Dry upland habitats such as sandhills and scrubby flatwoods; also oldfields and pastures	No	No
Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	T	FT	Broad range including scrub, sandhill, wet prairies, and mangrove swamps	No	No
Atlantic Salt Marsh Snake	<i>Nerodia clarkii taeniata</i>	T	FT	Saltmarsh tidal flats that contain grasses such as glasswort, Spartina, and Juncus	No	No
American Alligator	<i>Alligator mississippiensis</i>	T	FT	Freshwater lakes, slow moving rivers, and brackish water habitats	Yes	No
Green Sea Turtle	<i>Chelonia mydas</i>	T	FE	Estuarine and marine coastal and oceanic waters	No	No
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	E	FE	Marine coastal and oceanic waters	No	No
Kemp's Ridley Sea Turtle	<i>Lepidochelys kempii</i>	E	FE	Marine coastal waters, usually with sand or mud bottoms	No	No
Leatherback Sea Turtle	<i>Dermochelys coriacea</i>	E	FE	Oceanic waters	No	No
Loggerhead Sea Turtle	<i>Caretta caretta</i>	T	FT	Marine coastal and oceanic waters	No	No
Southeastern Beach Mouse	<i>Peromyscus polionotus niveiventris</i>	T	FT	Primary. Secondary, and occasionally tertiary sand dunes with moderate cover of grasses	No	No
West Indian Manatee	<i>Trichechus manatus</i>	T	FT	Coastal waters, bays, rivers, and occasional lakes	No	No
North Atlantic Right Whale	<i>Eubalaena glacialis</i>	E	FE	Atlantic Ocean	No	No
Atlantic Sturgeon	<i>Acipenser oxyrinchus oxyrinchus</i>	E	FE	Marine and intercoastal waters	No	No
*Definitions of above terms: T - Threatened, E - Endangered, FE - State Listed as Federally-designated Endangered, FT - State Listed as Federally-designated Threatened, ST - State Listed as Threatened, DL - Delisted, SSC - Species of Special Concern, C - Candidate						
**Table Sources: [FNAI] Florida Natural Areas Inventory. FNAI Tracking List. http://fnaai.org/bioticssearch.cfm .						
[USFWS] United States Fish and Wildlife Service. Environmental Conservation Online System. http://ecos.fws.gov/tess_public/reports/species-by-current-range-county?rps=12031 .						
[FWC] Florida Fish and Wildlife Conservation Commission. Florida's Imperiled Species Management Plan, Oct 12, 2015 Draft. http://myfwc.com/media/3344480/draft-ism-p-october-2015.pdf						

Florida Sandhill Crane. The Florida sandhill crane is not a federally listed species, but the State of Florida lists the species as threatened. The species typically inhabits freshwater marshes, prairies, and pastures. Foraging habitat can be found throughout the property as the species will utilize both uplands and littoral fringes for feeding. However, the species typically utilizes freshwater ponds or marshes for nesting. No marsh habitat is located on-site. Freshwater ponds are present, but the mowed and maintained edges are not suitable for long term nesting.

One sandhill crane was noted within the overall boundary of the CCNC (Figure 3), but the species was not located within the Phase 2 boundary. At no point during ESI's investigation were any nests or ideal nesting habitat noted within the Phase 2 boundary.

Burrowing Owl. The burrowing owl is Florida's smallest owl, and utilizes open prairies that have very little understory vegetation. Currently, the southern portions of Phase 2 offer marginal habitat, but active mowing and maintaining of the southern portions of Phase 2 preclude any realistic opportunity for the species. At no point did ESI note any burrowing owls or associated burrows on the property.

Audubon's Crested Caracara. Audubon's crested caracara is a large raptor species found throughout southern and central Florida. The species typically inhabits dry or wet prairie areas with scattered cabbage palms, along with semi-improved pasture. The species is predominantly found in southern central Florida and is rarely sighted as far north as Brevard County. Phase 2 of CCNC offers very limited habitat for the species as the pasture and prairie areas lack any significant presence of cabbage palms that the species utilizes for nesting. Cabbage palms within Phase 2 of CCNC were visually inspected on the 3 October 2019 site visit by ESI and no nests were noted. At no point during the investigation were any crested caracaras noted on-site.

Florida Scrub Jay. The Florida scrub jay is a state and federally protected species found in central and southern Florida. It typically inhabits low-growing oak scrub and scrubby flatwoods, but could potentially utilize the central and northern areas of Phase 2 classified as mixed rangeland on Figure 6. A scrub jay survey consistent with FWS guidelines was performed in 2013 to determine the potential presence of the species on-site. Based on the survey, no evidence of the species was noted. Based on the 3 October 2019 review, no scrub habitat is present on-site and no evidence of the species was noted within Phase 2. It is not anticipated that the development of Phase 2 will affect the species.

Gopher Tortoise. The gopher tortoise is a state-threatened species that typically inhabits areas with well drained sandy soils and low growing vegetation for forage. Based on a review of the mapped soil types, it was determined there was potential for the species on-site. The site was surveyed for gopher tortoises on 22 July 2014, and a permit was issued for the relocation of the identified tortoises by FWC on 27 March 2015 (GTC-14-00171B). A total of 47 tortoises were subsequently relocated off-site to a permitted long-term recipient site.

In October 2019, ESI re-reviewed the areas within Phase 2 that contained suitable soils and forage for the species, but no burrows were located. It is anticipated the development of Phase 2 will not impact the species.

American Alligator. The American alligator is a federally protected species due to the similarity of appearance to the American Crocodile. It typically inhabits freshwater lakes and slow moving rivers, associated wetlands, but can also utilize storm water retention areas such as the ponds within and directly adjacent to Phase 2 of CCNC. At no point during ESI's investigation were any American alligators or evidence of alligators noted, but ESI staff has been made aware of multiple sightings of American alligators in the storm water ponds within the overall CCNC boundary by cemetery staff. However, it is not anticipated the project will impact the species, and the creation of additional storm water retention will provide additional habitat.

2.7.1 Bald Eagle Review

Although not formally listed under the Endangered Species Act, the bald eagle is afforded federal protection through the Bald and Golden Eagle Protection Act. The species is common in Florida and typically nests in live pine trees with a nearby water source for hunting and foraging. ESI reviewed the list of known bald eagle nests provided by FWC and determined no known eagle nests lie within or directly adjacent to CCNC. ESI visually inspected potential nest trees within and directly adjacent to CCNC Phase 2 and did not identify any bald eagle nests, nor were any bald eagles noted in and around the property. It is not anticipated the development of Phase 2 will affect the species.

2.7.2 Critical Habitat

The study area was reviewed for any critical habitat as designated by FWS. ESI reviewed FWS's Information for Planning and Consultation (IPAC) tool and determined no designated critical habitat falls within the boundaries of Phase 2. A copy of the IPAC report is included with this RAR.

3. SUMMARY

ESI has completed this RAR to determine if any conditions or resources on-site could potentially be affected by the development of CCNC Phase 2. The report was informed by previous investigations and consultations associated with the EA and SEA performed for the entire CCNC project in 2012 and 2014, along with additional research and a 2019 site review.

It was previously determined by ACOE that no Waters of the U.S. are present on-site based on an approved jurisdictional determination issued in 2010. The determination has since expired, but based on the 2019 review, it is anticipated ACOE will remain consistent with previous findings that no areas on site are federally jurisdictional. ESI will continue to coordinate with ACOE to acquire an updated approved jurisdictional determination.

Cultural resource concerns were previously addressed as part of the original NEPA EA for the entirety of CCNC. SHPO concurred with ESI's findings in 2012 that the unrecorded site did not warrant listing on the NRHP and no further investigation was required.

Based on ESI's 2019 review of Phase 2 of CCNC, no federal or state protected wildlife species should be adversely affected by the development of the project site. Protected wading birds and Florida sandhill cranes could utilize the property in a transient nature for foraging along the existing littoral fringe of the stormwater pond in Phase 2, but permanent residence is unlikely due to the maintained nature of the pond edge. Florida scrub jays have been previously surveyed for and not found to be present on-site, and current conditions do not support the likelihood of the species utilizing the property. Gopher tortoises were relocated from the property under FWC permit GTC-14-00171B. The 2019 review confirmed no gopher tortoise burrows within the boundaries of Phase 2.

Attachment 1

Figures

Figure 1 – Location

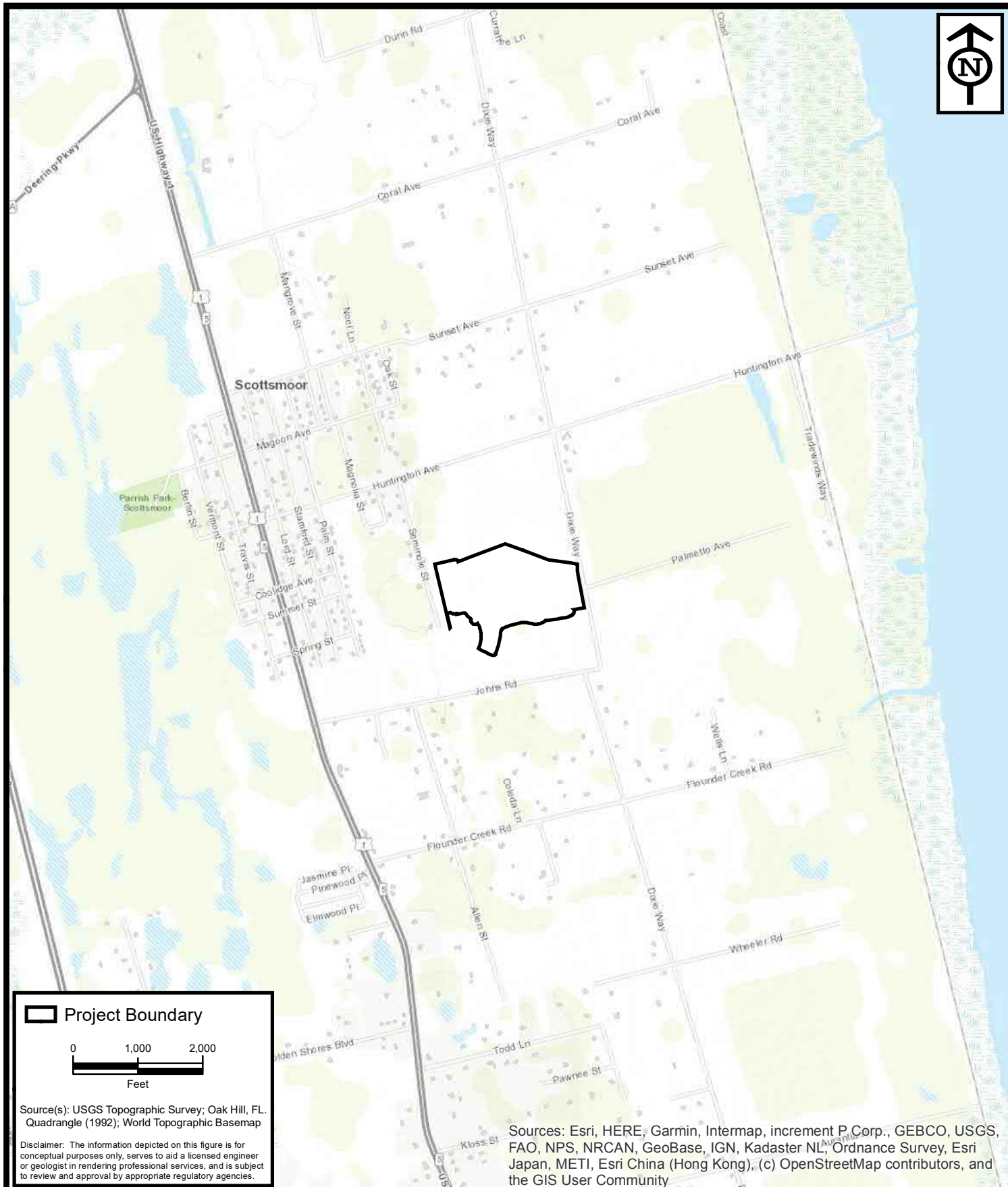
Figure 2 – Aerial Photograph

Figure 3 – Wildlife

Figure 4 – Natural Resources

Figure 5 – Soils

Figure 6 – Existing Site Conditions



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Project Location

Cape Canaveral National Cemetery - Phase 2

Brevard County, Florida

Project:	HK197321
Date:	Oct 2019
Drawn By:	AA
Checked By:	JRN
Approved By:	BAA
Figure:	1



 Project Boundary

0 250 500
Feet

Source(s): ESRI World Imagery Basemap

Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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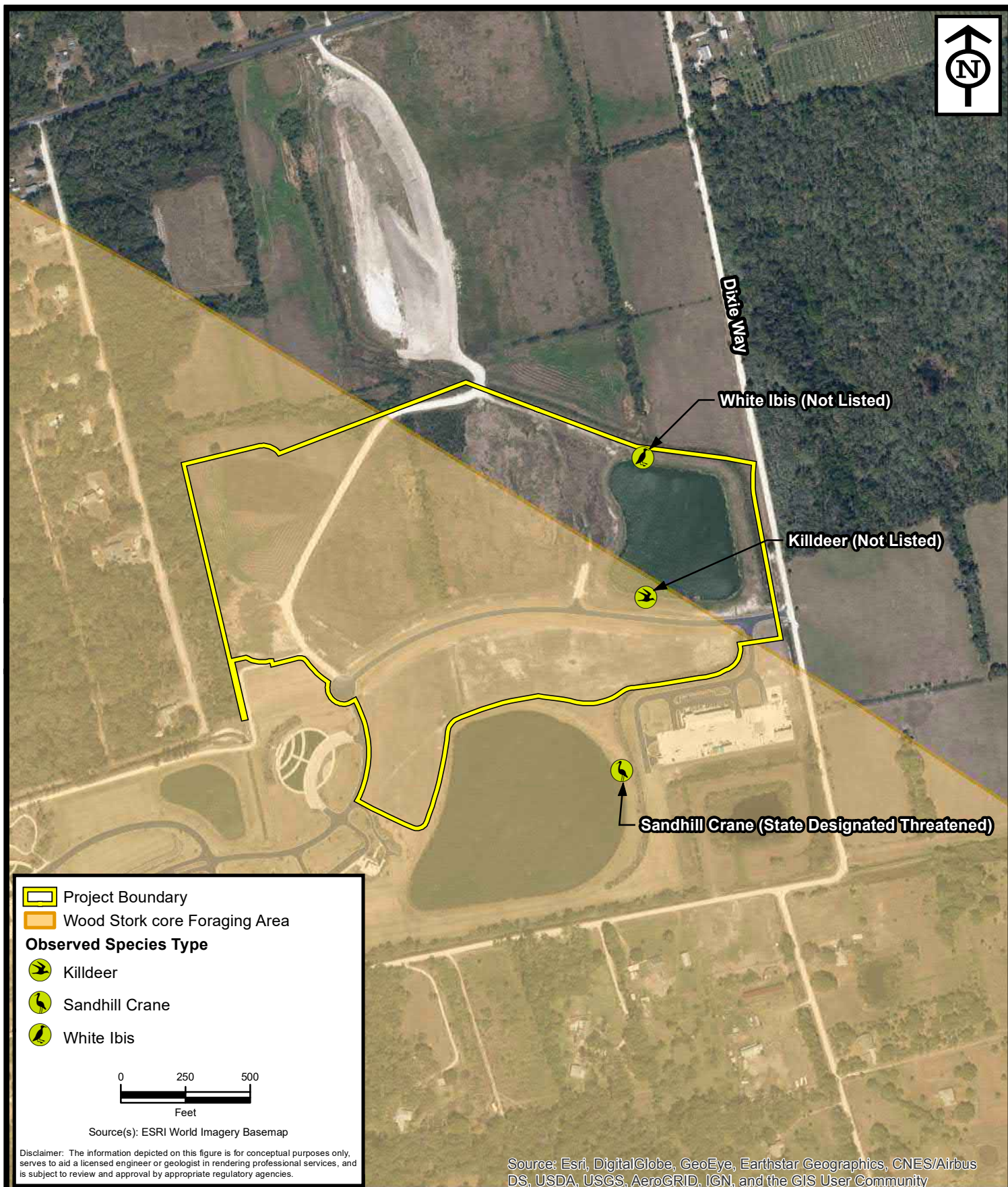
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Aerial Photograph

Cape Canaveral National Cemetery - Phase 2

Brevard County, Florida

Project:	HK197321
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Figure:	2



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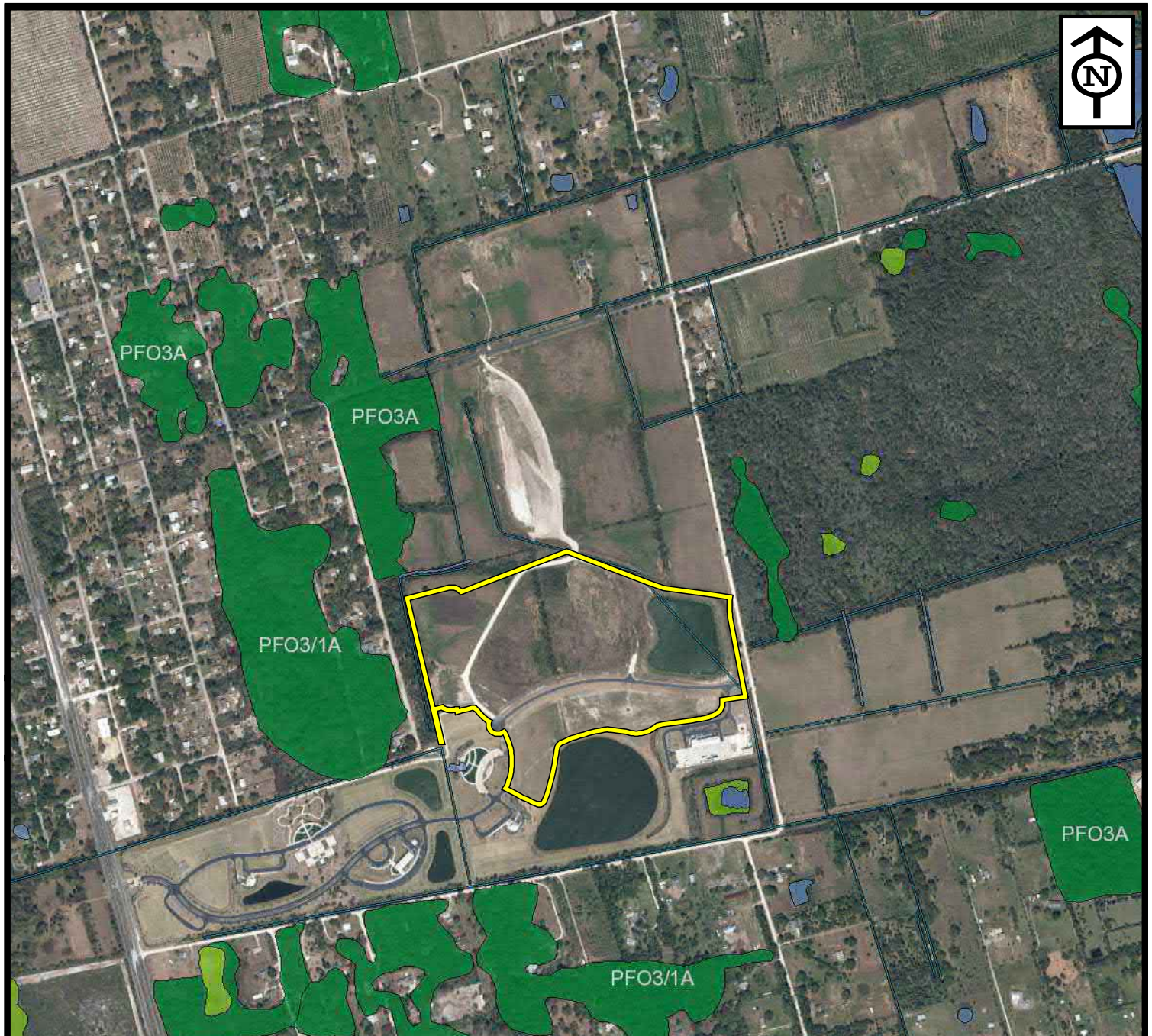
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Endangered Species

Cape Canaveral National Cemetery - Phase 2

Brevard County, Florida

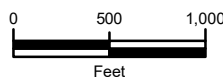
Project:	HK197321
Date:	Oct 2019
Drawn By:	AA
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Approved By:	BAA
Figure:	3



Project Boundary

WETLANDS

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine



FEMA Flood Hazard Zones

- 1% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway
- Area of Undetermined Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee

Source(s): FEMA Flood Hazard Zones; FWS Wetlands; Bing Aerial Maps

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Standards and Support Team,
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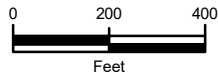
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Natural Resources

Cape Canaveral National Cemetery - Phase 2


Brevard County, Florida

Project:	HK197321
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Figure:	4









Source(s): USDA Soils Survey of Brevard County, FL.; ESRI World Imagery Basemap

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 Project Boundary

Soils

-  16, Copeland-Bradenton-Wabasso complex, limestone substratum
-  19, Riviera sand, 0 to 2 percent slopes
-  36,  Myakka sand, 0 to 2 percent slopes
-  51, Pompano sand, 0 to 2 percent slopes
-  71, Wabasso sand, 0 to 2 percent slopes

Geographics, CNES/Airbus
User Community



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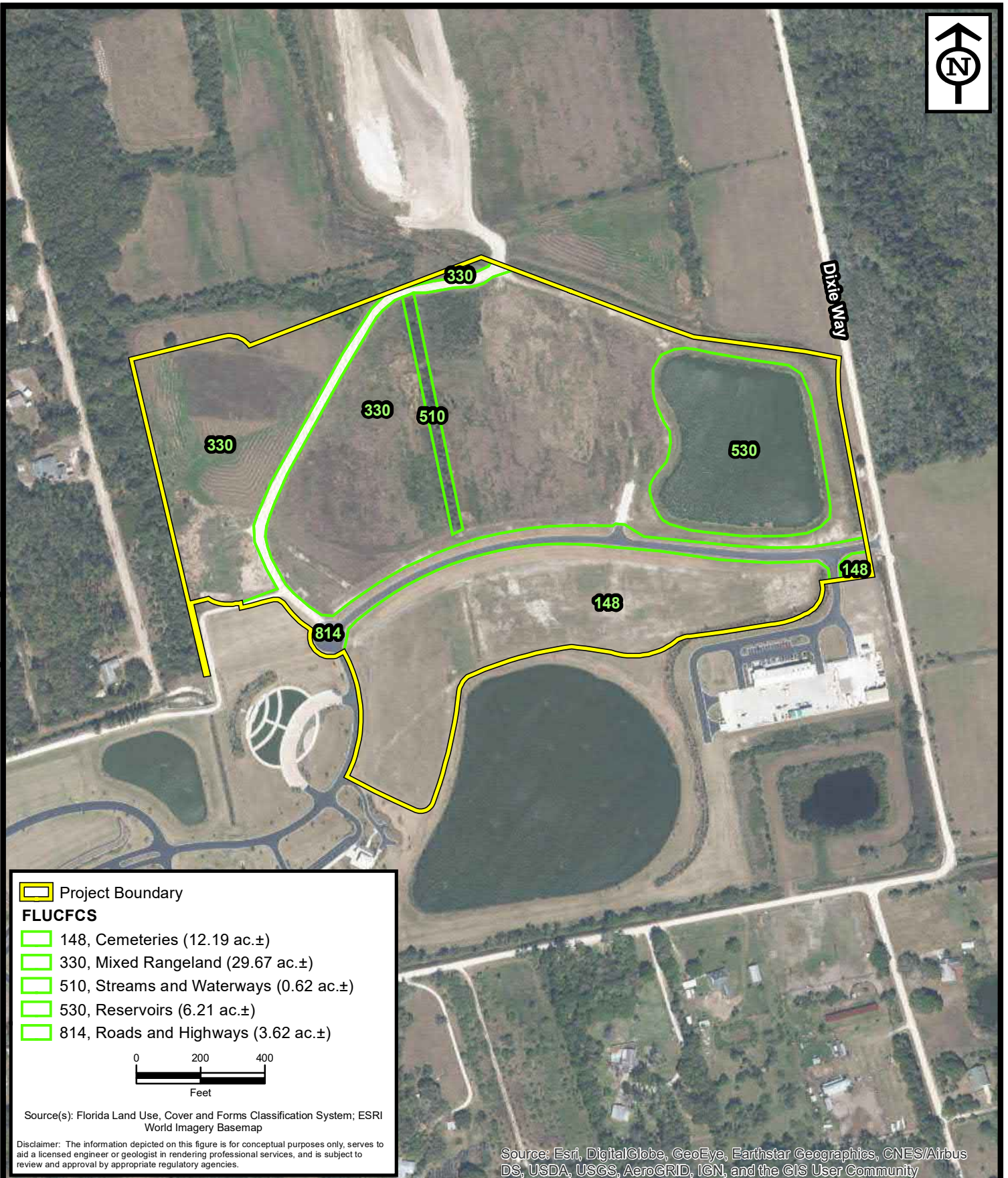
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NRCS Soils

Cape Canaveral National Cemetery - Phase 2






Brevard County, Florida

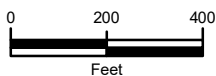
Project:	HK197321
Date:	Oct 2019
Drawn By:	AA
Checked By:	JRN
Approved By:	BAA
Figure:	5



 Project Boundary

FLUCFCS

-  148, Cemeteries (12.19 ac.±)
-  330, Mixed Rangeland (29.67 ac.±)
-  510, Streams and Waterways (0.62 ac.±)
-  530, Reservoirs (6.21 ac.±)
-  814, Roads and Highways (3.62 ac.±)



Source(s): Florida Land Use, Cover and Forms Classification System; ESRI World Imagery Basemap

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Existing Site Conditions

Cape Canaveral National Cemetery - Phase 2

Brevard County, Florida

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Approved By:	BAA
Figure:	6